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No. 137

## House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. POE of Texas).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
October 5, 2013.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
Speaker of the House of Representatives.

### PRAYER

Reverend Eugene Hemrick, Catholic University of America, Washington, D.C., offered the following prayer:

Lord, paraphrasing the love of St. Francis, may this Congress be an instrument of Your peace. Where there is hatred, let it sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy.

O, Divine Master, grant that our Congress may not so much seek to be consoled as to console, to be understood as to understand, to be loved as to love. For it is in giving that we receive; it is in pardoning that we are pardoned; it is in dying that we are born again to eternal life.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. BERA)

come forward and lead the House in the Pledge of Allegiance.

Mr. BERA of California led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

### THE THURSDAY INCIDENT AT THE CAPITOL

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, on Thursday, the Capitol was in lockdown when Miriam Carey led the police on a frightening high-speed chase that sadly resulted in her death. Initial reports say she may have been delusional, paranoid, and had a prescription for schizophrenia medication.

The incident shows that a person with untreated or undertreated mental illness does not need a firearm to cause harm. It reminds us of an issue that we've been talking about since the tragedy at Newtown, and even before—the problems with our Nation's mental health system.

There were 38,000 suicides in our country recently, 750,000 attempts. The House Energy and Commerce Committee has identified inefficient outpatient and inpatient treatment. State involuntary commitment laws are failing to help those with schizophrenia and paranoid delusions. Community mental health centers are underfunded. Federal privacy laws have problems, and NIMH is woefully underfunded.

I will be introducing legislation soon to deal with these mental health

issues. I ask my colleagues to help us deal with serious mental illness in a serious way.

### MR. SPEAKER, THIS IS NOT A GAME

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. Mr. Speaker, day No. 5 of the government shutdown—day No. 5.

Yesterday you said something that I couldn't agree with more, Mr. Speaker. Yesterday you said, "This is not a game."

Last night, my staff gave me a letter from one of my constituents, Sarah from Folsom. Her close friend is battling a rare bone cancer. She has been in chemotherapy and she is fighting for her life. She has a 1-year-old daughter.

She was recently accepted into a clinical trial, a last chance to try to save herself and save her life. Now Congress has shut down that trial and put the trials on hold. Here's what Sarah says:

Please don't let her daughter grow up without a mother.

Mr. Speaker, I couldn't agree with you more. This is not a game. This is real life.

### PAY OUR MILITARY ACT

(Mr. BROOKS of Alabama asked and was given permission to address the House for 1 minute.)

Mr. BROOKS of Alabama. Mr. Speaker, I speak on the House floor for the third straight day to request that President Obama obey the Pay Our Military Act that fully funds, also, defense workers who support the Armed Forces. Since every defense worker, by definition, supports the Armed Forces, furloughs for every defense worker should end.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Over 60 Congressmen and I are highlighting this issue in hopes of returning 400,000 furloughed defense workers to their jobs. I am pleased to announce that we're making progress.

Yesterday, Secretary of Defense Chuck Hagel agreed that "there's no job in our Department of Defense that doesn't support the military." Hence, the Pay Our Military Act's only furlough-ending requirement has been met.

Mr. Speaker, President Obama must end all defense worker furloughs. Why? Because it's the law, and because America's national security is at stake.

#### GOVERNMENT SHUTDOWN

(Mr. GEORGE MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, Members of the House, this last week must have been quite a civics lesson for the members of the Tea Party who thought that they could shut down the government—and, in fact, shut down the government—and nobody would miss it. But soon they discovered that there were serious problems with that.

Now we see one bill after another: to restore the NIH because they found they stranded cancer patients and other people in need of their health; to restore the WIC program because they found out that the newest born infants in this country would be without nutrition, the veterans programs because they found out our veterans would be stranded, the assistance to go to school would be cut off.

Our national parks, they never thought those communities would be impacted by the national parks. They didn't care about that. They shut them down. But they were here asking for relief.

They found they needed the weather service as the hurricane was approaching our Gulf States. They needed FEMA. They needed someone to organize the evacuation routes in case it became a full-blown hurricane.

The CIA, they discovered they laid off 70 percent of the assets within the CIA. This goes on and on and on and on.

Welcome to America, a big, diverse Nation where we all need one another at one time or another.

#### FEDERAL EMPLOYEES RETROACTIVE PAY FAIRNESS ACT

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, we have a chance on the floor today to move this body in the right direction—to move us closer to a solution. There is a bipartisan bill today offered by Mr. MORAN and Mr. WOLF, both of Virginia. It's a bill that I've cosponsored and a

bill, thankfully, that the President has agreed to sign. It is the Federal Employees Retroactive Pay Fairness Act, which would allow all Federal employees, regardless of individual furlough status, to receive their pay retroactive from October 1 for the entirety of the budget impasse.

The stalemate we're at now has left 800,000 government employees furloughed and unsure about their next paycheck. There are also those at work now who aren't being paid for it. This includes thousands of Federal law enforcement officers who continue even today to protect this building and those of us in it and around it.

I've been in touch with Federal workers in my district, including law enforcement, and they should know that there is agreement that they will receive their pay when the government reopens.

Mr. Speaker, I'm going to be voting in favor of this legislation for all the Federal employees in my district and around the country who deserve some certainty while we wait for this impasse to end.

Mr. Speaker, let's continue to talk, and let's end this impasse.

#### IMPACT OF GOVERNMENT SHUTDOWN

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, I rise today to speak about the human consequences of this needless government shutdown, the impact of this shutdown on real people and families back in our home districts. There are so many people out there who are hurt and are worried about what's going on here in Washington, and how can any of us blame them? Let me just give you one example.

I have a woman from the Quad Cities, which is an area I represent, who reached out to our office. She's worked at the Rock Island Arsenal for 15 years, and she told me how much she loved her job, but she was furloughed earlier this year because of sequestration. Now she is out of work indefinitely because of this needless government shutdown. She is worried, like any of us would be, about how she is going to make ends meet, how she is going to support her family, and how frustrated she is with the government.

We need to encourage good people like this woman from the Quad Cities to stay in public service, not drive them away. She is one of more than 25,000 workers at the Rock Island Arsenal who are impacted by this. I say to my colleagues on the left and my colleagues on the right, let's work together and solve this.

#### ACCOUNTABILITY AND TRANSPARENCY IN SPENDING PROCESS

(Mrs. BLACKBURN asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, you know, words have meaning, and I find it so interesting as I come to the floor this morning that I continue to hear my colleagues talk about a clean CR. Well, for my colleagues and for my constituents, I want to explain what this means.

They want to say no attachments, no further accountabilities, no spending reductions, just give us the money. And I would remind them the levels that we're spending at are due to sequestration. It's the law. It's the law. That's where it's at. By implication, they are saying, what you all want is unclear or evil or dirty.

What we are for, Mr. Speaker, is an accountable, transparent CR, an accountable, transparent process—transparent and fair to hardworking taxpayers, fair to future generations, like my grandsons, my nieces, great-nieces and nephews, who are going to have to pay the bill.

Let's have an accountable spending process.

#### GOVERNMENT SHUTDOWN

(Mr. BEN RAY LUJÁN of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, words do have meaning. Instead of working together to do our jobs and resolve these critical issues, Republicans have taken a decidedly different approach, one they seem to have been looking forward to for some time, to make another desperate attempt to stop the Affordable Care Act. The government shutdown could be the most damaging thing to hit our economy since the budget sequestration they imposed on Americans.

I would say to my colleague that I just heard from, the prayer this morning is so appropriate, a prayer of St. Francis: make me a keeper of your peace.

There are people who are hurting and in trouble. Let us look inside to the moral obligations that we have and see what we can do to come together.

Please, let us vote on the continuing resolution passed by the Senate. These are the Republican budget numbers the Democrats have agreed to compromise with. Please, listen to St. Francis. Look inside and see what we can do together.

#### GOVERNMENT SHUTDOWN

(Mr. BENISHEK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENISHEK. Mr. Speaker, how have we ended up here in a government shutdown nobody wanted? The answer is simple: it's because the Senate has refused to even come to the negotiating table on a spending agreement.

The House has passed four measures that would have kept the government open and operating, but they were all ignored by the Senate. First, we voted to keep the government open and to fund the President's health care bill, but they ignored that. Second, we voted to keep the government open and only delay the health care bill for 1 year. They ignored that. Then we voted to keep the government open and simply make the rules for the health care exchanges the same for all Americans. They ignored that. Lastly, we just asked the Senate to talk to us. They ignored that.

The Obama administration has given exceptions to their allies: big businesses and some unions. Why shouldn't the American people be given the same kind of treatment?

The Senate should come to the bargaining table today and end this shutdown today.

□ 0915

#### OPEN THE ENTIRE GOVERNMENT AND PASS A CLEAN CONTINUING RESOLUTION

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, the reason we have the shutdown is because of the Republican leadership.

The irony today is that the Republicans keep talking about the other side of the aisle here or the other House, yet they are going to go home at around 12 today, if not sooner, and not come back until Monday after 6:30. So if you really cared about negotiating and doing something, you wouldn't send everyone home for the next 3 days. You are not serious.

The spending levels have already been agreed on. I heard our Democratic leader, Ms. PELOSI, on the floor the other day saying she agreed with the spending levels. So the money isn't the issue. And I don't even hear the health care reform being talked about much anymore on the Republican side of the aisle.

I have no idea why the Speaker of the House continues to keep the government shut down, other than maybe they think they can show that they can do it.

This is absurd and it is cruel on the people, the people that are being furloughed. The effect on the economy is just awful at this point with this continued shutdown.

You come here and say you are going to piecemeal approach and we have bills every day to open up a little part of the government. Open the entire government. Pass a clean continuing resolution.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

#### EXPRESSING SENSE OF CONGRESS REGARDING NEED FOR CONTINUED AVAILABILITY OF RELIGIOUS SERVICES TO MEMBERS OF THE ARMED FORCES

Mr. WILSON of South Carolina. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 58) expressing the sense of Congress regarding the need for the continued availability of religious services to members of the Armed Forces and their families during a lapse in appropriations.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

##### H. CON. RES. 58

Whereas the Department of Defense has determined that some military chaplains and other personnel, including contract personnel, hired to perform duties of a military chaplain are not able to perform religious services on military installations during a lapse in appropriations;

Whereas this determination threatens the ability of members of the Armed Services and their families to exercise their First Amendment rights to worship and participate in religious activities; and

Whereas the Department of the Interior has permitted the performance of First Amendment activities in areas controlled by the National Park Service despite the lapse in appropriations; Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That Congress—*

(1) recognizes that the performance of religious services and the provision of ministry are protected activities under the First Amendment of the United States Constitution;

(2) urges and intends that the Secretary of Defense permit the performance of religious services on property owned or maintained by the Department of Defense, during any lapse in appropriations, in the same manner and to the same extent as such religious services are otherwise available; and

(3) urges and intends that the Secretary of Defense permit military chaplains and other personnel, including contract personnel, hired to perform duties of a military chaplain to perform religious services and ministry, during any lapse in appropriations, in the same manner and to the same extent as such chaplains and other personnel are otherwise permitted to perform religious services and ministry.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. WILSON) and the gentleman from Washington (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina.

##### GENERAL LEAVE

Mr. WILSON of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend

their remarks and insert extraneous material on the concurrent resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WILSON of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of the concurrent resolution offered by my colleague, Representative DOUG COLLINS of Georgia, a dedicated chaplain and Iraq veteran of the United States Air Force Reserve. His resolution goes to the heart of our constitutionally guaranteed ability to worship without interference. I thank him for bringing it to the floor.

The resolution expresses the sense of Congress regarding the need for the continued availability of religious services to members of the Armed Forces and their families during a lapse of appropriations. As a grateful dad, with my wife, Roxanne, of four sons currently serving in the military, I know firsthand the importance of chaplains, such as Steve Shugart and Brian Bohlman.

Specifically, it addresses the issue this House became aware of yesterday—that religious services for military personnel are being curtailed, or not offered at all, because Federal civilian employees serving as chaplains, or personnel contracted to perform the duties of military chaplains, have been furloughed.

This is an extremely important issue for all of us to work together. There is no doubt that the furloughing of personnel hired or contracted to perform the duties of military chaplains is having an effect. Just in this region, church services, baptisms, weddings have been curtailed. For example, the Active Duty priest at the Navy Yard canceled mass there. He is needed at Joint Base Anacostia Bolling. It is a larger church and they don't have a priest there this weekend.

At Fort Belvoir, half of the masses have been canceled.

The impact is even more severe overseas, where options for worship are far more limited than in the United States.

What is more disturbing is that General Schedule Federal civilian and contractor chaplains are being told that if they do come to their jobs they will be trespassing. This is just not right.

The performance of religious services and the provision of ministry are protected activities under the First Amendment of the United States Constitution. If the Department of the Interior can permit World War II veterans in performance of First Amendment activities to visit the memorial constructed to honor their service, then certainly the Secretary of Defense can permit similar First Amendment activities.

The Secretary can and must allow military chaplains and other personnel,

including contract personnel, hired to perform duties of a military chaplain to perform religious services and ministry in the same manner and to the same extent as such chaplains and other personnel are otherwise permitted to perform religious services and ministry when there is an appropriation. It is that simple.

So, Mr. Speaker, I urge the Secretary of Defense to do the simple thing, the right thing: allow all chaplains of the Armed Forces, be they military, Federal civilian employees or contractors, to minister unhindered to the men and women of the Armed Forces of the United States.

I congratulate my colleague, Representative DOUG COLLINS of Georgia, chaplain of the U.S. Air Force Reserve, for bringing this resolution to the floor and urge all Members to support it.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

I do not oppose this resolution—it sounds sensible going forward—but I do want to raise a couple of process issues.

We found out about this—I found out about this—20 minutes ago. I think it is just emblematic of how much this body has broken down. We have to talk to each other. I don't have an objection to this. I've got staff; the Armed Services Committee has a staff. We work together. We have worked together on the Armed Services Committee better than any other committee in this Congress. I will grant you that that isn't saying much, but we have.

We just simply have to talk to each other. Why would they spring this on us at the last minute and not have a communication about it? It is not something we object to.

Getting past this individual issue, it is emblematic of the entire problem. The Republicans are complaining because the Senate isn't talking to them and the President isn't talking to them about the CR and the debt ceiling. There are reasons for that. But we have reached an epidemic of not talking to each other. On something as small as this we can't even have a communication.

Mr. WILSON of South Carolina. Will the gentleman yield?

Mr. SMITH of Washington. I will gladly yield to the gentleman from South Carolina.

Mr. WILSON of South Carolina. Mr. SMITH, I agree, on the Armed Services Committee—and I want to commend you—we work together in an extraordinary fashion. In fact, the National Defense Authorization Act has passed the House as an indication of your goodwill and good faith.

I believe the reason this has come up so quickly, of course, is because this was only learned late yesterday. The consequence of the thought of chaplains to be declared trespassing is inconceivable and it needs to be addressed.

Mr. SMITH of Washington. Right. But again, the communications level

has fallen apart. On our side of the aisle, we don't know from one minute to the next what we are going to be voting on. The schedule has been changed at a moment's notice.

I will tell you, even back in the shutdown of 1995, there was greater communication between the majority and the minority about what was going on. In fact, we had a lot of these small little bills that funded little pieces of the government.

But the one thing the majority did is they granted the full House a vote on a—and what a clean resolution means is it only pertains to spending; it doesn't pertain to other policy issues. That vote was granted. The House Republicans voted it down. That was their position. But at least we had a vote. Then we also had a discussion about what we could fund during the shutdown.

The complete and utter breakdown in communication between the majority party, the minority party, the Senate and the House, the White House and us is doing an unbelievable disservice to this country. I don't care if we get in a room and yell at each other for 4 hours. Let's at least have a communication.

I want to really paint the picture here. We all have our talking points, and I heard all of those talking points this morning. I have heard them so much—and I am sure that the American people and I are absolutely sick to death of those talking points. They are poll tested, they are wonderful, they play to the base, they are great, and here we are on day 5 going nowhere.

The basic problem here, number one, on the CR is the health care policy issue, that basically the Republicans—this is no secret—want to get rid of the health care law. The trouble is they don't have the votes to do it, and they are, therefore, willing to hold up the funding of the government in order to advance their policy agenda. That is a very important point because that plays into the larger issue.

I also want to tell you that we are—what is it—12 days now away from defaulting. We are going to default at this point, because what I hear from my Republican colleagues is, oh, no, no, no, no, no, no, we don't want to default. As long as we cut enough spending, as long as we do tax reform we will be fine, which, of course, is what we have been hearing since January of 2011.

I just want to explain briefly to the American people what the difference in the positions are here, and I am going to be as fair and honest as I can be. The Republicans believe strongly that we should severely cut spending, and cutting spending at this point means mandatory programs, entitlements, because we have already cut discretionary spending down to the BCA level, down to the level they agreed to. That is what some of my colleagues are referencing about the CR. The spending level is down there. But they don't want to do that. The deficit is high, so

they want to cut spending. The President has on more than one occasion put entitlement cuts on the table.

The difference of opinion is whether or not we should also raise taxes as part of that deal to deal with the deficit. The President, the Senate, and the Democrats in the House—which I realize is irrelevant because we don't have the votes—but unfortunately for you guys they do in the Senate, and the President has the veto. If there is going to be any entitlement cuts, they have to be accompanied by tax increases. The Republicans say, absolutely not, we are not going to do that. So that is the divide.

The problem is the Republicans won 234 seats in the House. Interestingly, they lost the overall vote in Congress by a count of 52 to 48—but redistricting plays out the way it does. They did not win the Presidency and they did not win the Senate. So they are trying to take those 234 votes in the House and jam their broader agenda down everybody's throat. The piece that they have is they are willing to not fund the government and not raise the debt ceiling in order to put us in a bad position to do that.

I will tell you, Democrats cannot vote to cut entitlements if there are not tax increases attached to them. So I hope somebody somewhere wakes up to this reality before we default and stops insisting that somehow miraculously in the next 12 days Democrats are going to magically agree to cut entitlements with no revenue, and maybe do some big complicated tax reform bill that cuts taxes even further. Because if that reality does not set in, we are in for several weeks of great calamity that is going to cause greater damage than what has been caused here.

So with that, I support the resolution.

I reserve the balance of my time.

Mr. WILSON of South Carolina. Mr. Speaker, I want to, again, commend Mr. SMITH. He, indeed, has reached across to try to work together. By referencing the shutdown in 1995, there is a difference, and it begins at the top.

Sadly, the President of the United States 2 weeks ago last night called to announce he was not going to negotiate. In the 1995 shutdown there was communication between the President and the Speaker prior to a shutdown and during the entire shutdown.

I yield 2 minutes to the gentleman from Louisiana, Dr. JOHN FLEMING, my friend and colleague.

Mr. FLEMING. Mr. Speaker, I thank my good friend Congressman WILSON. I also thank my good friend, DOUG COLLINS, for bringing this measure up today.

Mr. Speaker, the First Amendment rights of our military do not sunset with the lack of appropriations or even a shutdown. The free exercise of religion is codified in the Constitution of the United States and celebrated by every American, including those of us who have worn, do, or will wear the uniform.

Military chaplains faithfully serve a unique role in the military, bridging the gap between faith and freedom and ensuring that people of all beliefs are able to celebrate mass or participate in a worship service according to the dictates of their faith.

Despite this protective right, the Department of Defense has decided to effectively close the doors of many churches and chapels this weekend by not allowing military chaplains to perform their religious duties on military installations because the Federal Government has not passed the relevant appropriations bill for FY 2014.

Mr. Speaker, I contend that the freedom of religion does not follow the Federal Government's fiscal policy. The freedom of religion is a 24/7 constitutional right that should garner unconditional support from this administration and our military leaders.

I stand strong with the brave men and women serving in our Nation's military and urge my colleagues to support this resolution.

Mr. SMITH of Washington. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, I thank my friend for yielding.

The President of the United States has spent weeks of his term negotiating with the Republican Party. What he has been confronted with each time is a demand to either shut the government down or default on the country's debt.

I want to put this in another frame of reference as I rise in support of this bill. On eight occasions when President George W. Bush was President, we had the majority on our side and we agreed to a continuing resolution, a clean continuing resolution. We had our many differences with President Bush over the Iraq war, over issues of health care, over issues of the budget, but on eight occasions President Bush came to the Democratic majority and asked to continue to run the government, and we said yes.

□ 0930

The principle at stake here is whether "negotiation" means you have to have everything you want all the time and shut the government down if you don't. That's not the way we do business. That's why three-quarters of the American people agree that shutting the government down over the health care law is the wrong thing to do.

Mr. WILSON of South Carolina. I yield 2 minutes to the Congresswoman from Tennessee, MARSHA BLACKBURN, my friend and colleague.

Mrs. BLACKBURN. Mr. Speaker, as we have all heard, we received the news yesterday that our priests and ministers could end up facing government arrest if they attempt to celebrate mass or to openly practice their faiths

on a military base during this government shutdown—a shutdown that we did not want, a shutdown that could have been avoided had the President and Senator REID agreed to negotiate with us.

This is so unfortunate. What we see is no mass, no communion, no confession, no prayer, no faith, no religion. Mr. Speaker, what we have to realize is that religious beliefs predate government. Government should not be able to tell those who are religious whether they can practice their faiths freely regardless of our government-funding situation.

What we are seeking is accountability, transparency, and reducing what the Federal Government spends. Government funding is irrelevant to the religious rights and freedoms that are enshrined in the First Amendment of our Constitution, and some don't get to throw away the Constitution just because they are unwilling to sit down and negotiate and work with us through this process. We are not going to sit here and say, Even if you volunteer to serve the faithful, we are going to deny you.

So I ask you, Mr. Speaker: Will our priests and ministers this weekend—some of them on my post at Fort Campbell in my district—be arrested if they recite a Hail Mary? if they lead in prayer?

I think that it is time for us to pass this legislation to agree that we let our men and women in uniform pray. Let America pray. Government shouldn't arrest anyone because some want to play politics with this situation.

Mr. SMITH of Washington. I yield myself such time as I may consume.

Mr. Speaker, first of all, again, I support this resolution. Nobody is getting arrested for praying. I really wish we could keep the debate here in the realm of reality. I believe the issue is that they have been furloughed in some instances so that they are not allowed to carry on the services. I don't want that misimpression left dangling out there that somehow we are arresting people for going to church. We are most certainly not, and I wish the debate would remain a little more accurate. I want to make just one other point.

While it is true that, in 1995, President Clinton talked to Republicans, ultimately, he did not give them any of the policy items that they were asking for. All President Obama is basically saying is, Look, if you want to talk, we can talk; but we can't talk about dismantling my health care law, and we can't talk about adding policy riders to the CR or to the debt ceiling, because we need to keep the government running.

And there is one other difference which I know my Republican colleagues will not address. The Republican majority under Newt Gingrich in 1995 gave this House a vote just like the Senate has given everything you've sent over to them a vote. They voted it

down, but they had a vote. This House will not give us a vote on the CR that the Senate has passed. If you feel as strongly about it as you do, do what the Republicans did in 1995—bring it up and vote it down. That's democracy. That's in the Constitution, too, by the way. That would be helpful.

I reserve the balance of my time.

Mr. WILSON of South Carolina. Mr. SMITH, again, I appreciate your support of this, but it is important because, sadly, information has been provided that chaplains would be subject to trespassing charges. So this does, obviously, interfere with the ability of freedom of speech and religion and assembly.

Mr. Speaker, I now yield 2 minutes to the gentleman from Kansas, Mr. TIM HUELSKAMP, my friend and colleague.

Mr. HUELSKAMP. Mr. Speaker, is it really the policy of this administration to make church services illegal? to threaten Catholic priests with jail if they celebrate mass this weekend?

Unfortunately, this policy seems to be another tragic reflection of the complete disregard this administration has for Americans of faith. What is worse is that it's an unprecedented denial of a fundamental constitutional right of our men and women in uniform, like denying access to the World War II or Lincoln Memorials for the first time. This is the first time in 17 previous funding lapses, covering 16 Sundays, that our brave chaplains have been threatened with arrest if they perform their Godly duties.

Secretary Hagel must issue an immediate directive that chaplains should continue to perform their duties and that DOD facilities normally used for religious services should continue to be used.

Mr. Speaker, the First Amendment is not some empty words on a dusty, archaic document to be viewed somewhere in a museum. I know for men like my uncle, Father Leonard Stegman, who was an Active Duty chaplain for nearly 30 years, the First Amendment is what you do every day as a chaplain, leading men and women of all faiths. It's something real.

For the late Father Emil Kapaun, who was recently awarded the Medal of Honor by President Obama on April 11 of this year, the First Amendment was, again, not some empty words. It's what he did every day, and it's the reason he gave his life for his country. It's the reason he was honored and recognized and how he drew men and women of all faiths.

In honor of Father Kapaun and of all current and former military chaplains and of all members of the Armed Forces, let's strike a blow for religious liberty today. I urge my colleagues to join me in supporting this resolution. Let's send a clear message to this administration that the rights of those serving in the Armed Forces cannot be suspended simply to create political and personal pain.

Mr. SMITH of Washington. Mr. Speaker, I yield back the balance of my time.

Mr. WILSON of South Carolina. Mr. Speaker, I yield the remainder of my time to the gentleman from Georgia, Congressman DOUG COLLINS, who is the sponsor of this resolution and a U.S. Air Force Reserve chaplain.

Mr. COLLINS of Georgia. Mr. Speaker, I thank the gentleman from South Carolina, whose dedication to our men and women in uniform is among no peer's in this body, and I thank him for his service and for the fight of his family and others as we come along.

I'll tell you today that I rise, Mr. Speaker, really with a troubled heart and also with one that is on behalf of the men and women in the Air Force and the Armed Forces and others who are facing something today that they should not have to face. There is no doubt our Nation is facing many difficulties, and all of us and those across the aisle can understand that. The majority in this body is standing united to fight for the future of our children and grandchildren. Those are legitimate fights, and I respect my colleagues from across the aisle. These are legitimate fights that we are having here. However, today, as I stand, I came to this body also looking for practical things and looking for things that amaze me at times, and this is one that does.

As we do and as we fight for others, we must ensure that the basic rights of all Americans are protected and do not fall victim to the political theater occurring in this body. Military personnel and their families make sacrifices that many of us cannot fathom, and they do so to protect the freedom that we take far too often for granted. Because of their sacrifices, our Nation is a beacon of hope to the dark corners of the world where freedom of speech and religion exist only in fairy tales.

Yet today, military chaplains who have been contracted to come to bases face a closed door. They cannot go on these bases during a lapse of appropriations even if they wanted to volunteer to practice their faiths. Each of us in this body and across the Nation should pause for a moment to consider and think about what I just said. If a contract chaplain wants to minister to a military member stationed abroad who has no access to a church, a mosque or a synagogue, he would be in violation of the law. I am a military chaplain, and this breaks my heart.

Too often, we come to this floor and we talk in abstractions. We talk about concepts and political jargon, arguing about problems that only matter, probably, within less than 3 miles of this building, but today is different. Today, we stand with one resounding voice to tell our servicemembers and the chaplaincy that we will not stand for their First Amendment rights to be violated because the leaders in the other body want to make a point. The laws in this Nation require the Federal Govern-

ment to ensure that military personnel can express their faiths or non-faith in all corners of the world. That is why the military chaplaincy exists and, when we cannot serve the needs of those, why we contract with others who can provide that basis of one's faith.

General George Washington issued an order on July 9, 1776, providing through the Continental Congress for a chaplain for each regiment, stating:

The blessing and protection of Heaven are at all times necessary but especially so in times of public distress and danger.

The administration is apparently unsatisfied with denying veterans access to memorials and is unsatisfied with closing off unmanned scenic overlooks to motorists. Now they must go after, in the words of George Washington, the "blessing and protection of Heaven" for our military families.

The body has seen its share of political discord and policy disagreements. The government has experienced numerous lapses in appropriations over the decades, but never before in the history of this Nation have the military chaplains and those they contract with to serve our military personnel been prevented from meeting the religious and spiritual needs of our servicemembers.

As a chaplain, I lived and worked alongside men and women in Iraq. Many were religious and many were not, but my purpose was to ensure that they were able to express their First Amendment rights however they wished. Military chaplains and their contract counterparts must be allowed to provide religious service and ministry regardless of our Nation's fiscal state.

If the administration wants to play games and score points through unnecessary theatrics, so be it; but I will not stand by and let these games occur at the expense of the basic rights of our men and women in uniform.

During this lapse in funding, Active Duty chaplains are permitted to continue serving military personnel. However, there is a chronic shortage of Active Duty chaplains, particularly for Catholic and Jewish faiths. For example, roughly 25 percent of the military ascribe to the Catholic faith; yet Catholic priests make up only 8 percent of the Chaplain Corps. That means that approximately 275,000 men and women in uniform and their families are served by only 234 Active Duty priests, thus the need to have contract chaplains.

Due to the shortage of Active Duty chaplains, it is extremely common for the government to employ chaplains via contracts to ensure that the spiritual needs of all of our military members are met. With the government shutdown, contract members of the Chaplain Corps on military bases worldwide are not permitted to work—they are not even permitted to volunteer—even if they are the only chaplains on base.

As my friend from South Carolina and others have mentioned, the restrictions on basic freedoms that are being had around here—and just within this area at Langley, at the Navy Yard and at Fort Belvoir—are all areas that have already been cut back, and that is a shame. I am grateful to my colleagues who have joined me this morning and the House leadership for their commitment to ensuring that military chaplains are able to serve the men and women of our Armed Forces.

If this body does not pass this legislation, the ability of military personnel and their families to worship and participate in religious ceremonies will continue to be at great risk. I ask all of my colleagues to join me in protecting the First Amendment rights of those who give their lives to protect ours.

Before I close, I agree that many times we haven't communicated, and we don't communicate as many would want us to; but I have also heard that timing was a problem here and that we should have seen this coming. Let me just say timing should never be a hindrance to this body's protecting the First Amendment rights of any of our citizens, especially of our military personnel. In fact, it should be our highest calling and the thing we run to this floor to discuss.

Should we have seen it coming?

I'll tell you, what saddens me is I would have never believed that the administration or anyone else would deem protecting a constitutional right as nonessential.

Mr. WILSON of South Carolina. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. WILSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 58.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WILSON of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 0945

#### FEDERAL EMPLOYEE RETROACTIVE PAY FAIRNESS ACT

Mr. TURNER. Mr. Speaker, pursuant to House Resolution 371, I call up the bill (H.R. 3223) to provide for the compensation of furloughed Federal employees, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 371, the bill is considered read.

The text of the bill is as follows:

H.R. 3223

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Federal Employee Retroactive Pay Fairness Act”.

**SEC. 2. COMPENSATION FOR FURLOUGHED FEDERAL EMPLOYEES.**

Federal employees furloughed as a result of any lapse in appropriations which begins on or about October 1, 2013, shall be compensated at their standard rate of compensation, for the period of such lapse in appropriations, as soon as practicable after such lapse in appropriations ends.

The SPEAKER pro tempore. The bill shall be debatable for 40 minutes, equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform.

The gentleman from Ohio (Mr. TURNER) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

**GENERAL LEAVE**

Mr. TURNER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 3223 and to include extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TURNER. Mr. Speaker, I yield myself such time as I may consume.

The House remains actively engaged in finding a solution to end the current impasse. The House has passed a number of commonsense bills to fund our troops, continue funding for veterans' benefits, and allow the District of Columbia to spend its own funds. The House has also passed legislation to bring defense civilian employees back to work. Unfortunately, the administration appears to be purposefully refusing to use the authority granted by the Pay Our Military Act, meaning roughly 400,000 defense civilian employees remain at home, unable to work.

While we wait on the President and Senate to reach across the aisle, it is important to provide needed certainty to Federal employees who have been furloughed without pay. Each and every one of us has Federal employees in our district, most of whom are guided by a sense of civic duty and take pride in helping make their country a better place.

Civilian defense personnel at Wright-Patterson Air Force Base, doctors and nurses at the Veterans Affairs Medical Center, records management professionals at the National Archives, and countless other dedicated men and women throughout my community are employed by Federal agencies and have been subject to furlough.

In the gulf coast region and other disaster-prone areas, NOAA employees help prepare for and monitor major storms. In the aftermath of these natural disasters, FEMA workers are sent into horrible and hazardous conditions to help restore broken communities.

At NASA, employees help us, figuratively and literally, to reach for the

stars. They encourage future generations to not be bound by seemingly physical and intellectual barriers.

Our law enforcement agencies work tirelessly to investigate and capture those who seek to do harm to the homeland as well as our allies abroad. The list goes on.

H.R. 3223 ensures the Federal civilian workers will receive retroactive pay for the duration of the Federal Government shutdown regardless of their furlough status. Federal workers who have been furloughed under a shutdown have historically received their pay retroactively. H.R. 3223 provides today's workforce a guarantee that their pay will resume once the President and Senate Democrats agree to meaningful discussions that will ultimately resolve this impasse.

I urge support for this bill as we continue to work on legislation to reopen critical operations of the Federal Government, and I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 3223, the Federal Employee Retroactive Pay Fairness Act. This legislation would provide backpay to 800,000 hardworking and dedicated Federal employees furloughed as a result of the government shutdown we are now enduring.

Today is day five of the shutdown created by the Tea Party extremists who are harming our country by holding our government hostage. They're placing our economy and our national security in jeopardy by waging an ideological war to overturn the law of the land and put insurance companies back in charge of health care decisions for tens of millions of our fellow Americans.

Our dedicated public servants ought to be at their duty stations serving the American people right now. They want to be working. They should be working. Instead, they are locked out because the House Republican leadership refuses to allow a vote on a clean bill to fund the government, a bill that would pass today.

Seventeen years ago, Federal workers were given backpay after Newt Gingrich's record 21-day shutdown in 1995 and 1996. It was the fair thing to do then, and it is the fair thing to do now.

Our Federal employees have been under relentless and unfair attack in recent years and have sacrificed much already. They have contributed nearly \$100 billion to deficit reduction through the 3-year pay freeze. New employees have seen their retirement benefits slashed. On top of that, Mr. Speaker, many have suffered through sequester-imposed furloughs. And now many families have seen their lives needlessly disrupted by this shutdown. The least we can do for our fellow citizens who work for this great country is to give them the reassurance of knowing that they will receive backpay.

The irresponsible, piecemeal approach to government funding being

pursued by our House Republicans omits huge parts of the government in attempts to pick and choose those who will be paid and those who won't. That is not an efficient or effective way to run the government, and the American people are sick of it, and they must be heard.

I give great credit to my colleagues, Mr. MORAN and to Mr. WOLF, a bipartisan group of great Virginians. I applaud them. H.R. 3223 would ensure that all Federal workers will be paid once this manufactured crisis is over and the government is reopened. This is not their fault, and they should not suffer as a result.

It's long past time for Republicans to reopen the government. Instead of disrupting the lives of our fellow citizens and wasting time and taxpayer money, House Republicans should reopen the government today—not yesterday, right now—by simply bringing to the floor a measure that funds the entire government without taking away the health care of our fellow citizens.

For these reasons, I urge my colleagues to join all of us in supporting H.R. 3223, and I reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. WOLF), the author of the bill we're considering today that would retroactively restore pay to Federal workers.

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, I want to thank Chairman TURNER and Chairman ROGERS and his staff. I also want to thank Leader CANTOR and his staff and Mr. MORAN and Mr. CUMMINGS and the others and all the staff, my staff included, but all the staff who did this very quickly.

This was done during the Reagan administration. It was done during the Clinton administration.

Who are the Federal employees? The Federal employees are the FBI agents that everyone would call if they got a call and found out their loved one was kidnapped. The first person they would call would be an FBI agent, a Federal employee.

I was with Mr. HOYER 2 weeks ago at the Navy Yard. The 12 people who were killed at the Navy Yard and those who were wounded, they were all Federal employees. Mr. HOYER can tell you, when the CNO talked about it, he said they were a part of the fleet.

The Capitol Hill policemen that we all got up the other day and gave a standing ovation, they are Federal employees.

The VA doctors that are working out at Walter Reed, working on young men and women who have lost limbs and served in Afghanistan and Iraq, they are Federal employees.

I remember, I was again with Mr. HOYER when we were down at OPM earlier this year when they had stars on the wall of 27 Federal employees who



have died since 2012, and since that time the number of stars have increased tremendously.

I saw the movie "Zero Dark Thirty." If you looked at that movie, it was about catching bin Laden. The woman who did it, Maya, has she been furloughed? Where is Maya? We don't know where she is. But has she been furloughed? Should she not get paid?

Lastly, I remember being at the memorial service. Seven families walked in; seven individuals died. I saw the young families, the families who were mourning their parents, and they were Federal employees.

There are 12,000 CIA employees who have been furloughed and are gone, maybe missing that one communication from al Shabaab or al Qaeda.

I strongly urge a strong vote for this.

I also want to thank Chairman ISSA, Chairman ROGERS and the leadership, including Congressman ERIC CANTOR—who has quickly scheduled this measure—and their staffs, and mine, for their efforts to prepare this bill.

This bill—which Mr. MORAN and I have introduced with strong bipartisan support—follows in the bipartisan tradition of precedents set during the Reagan and Clinton Administrations: that we ensure that Federal employees, who are out of work and unpaid by no fault of their own, are made whole once the government reopens.

Despite the difficult and unfortunate circumstances that have shut down our government currently, there is bipartisan agreement that signal to the millions of Federal employees that they will be paid for the duration of this shut down.

Who are these Federal employees? They are the Navy Yard employees killed and wounded last month. They are the Secret Service and Capitol Police officers who ran into harm's way earlier this week.

They are the FBI agents, DEA agents, Border Patrol agents, Weather Service meteorologists, Park Rangers, NASA astronauts and engineers, VA doctors and nurses.

I think we can all agree that they deserve the confidence of knowing that they will receive back pay for the time they have worked or have been furloughed.

My hope is that by moving this legislation now we can provide some reassurance to our valuable workforce and their families.

By passing this bill today, Republicans and Democrats can come together to send a powerful message to the Federal workforce.

In April my friend, Congressman STENY HOYER, and I went to the Theodore Roosevelt Federal Building, otherwise known as OPM Headquarters. We were there to recognize the lives of 27 Federal employees who died in the line of duty since January 2012. Twenty-seven.

Two weeks ago I was at the Marine Barracks honoring the 12 people killed at the Navy Yard. The speakers did not talk about military or civilian. They talked about "one Navy" serving the fleet.

A hurricane watch was posted on Thursday. Who is monitoring that? Federal employees. What happened after the hurricane watch was posted? Furloughed Federal employees started to be recalled.

Who is working around the clock to protect us from another terrorist attack? Federal employees?

It has been reported that 70 percent of civilians working for our intelligence agencies, including the CIA and the Defense Intelligence Agency will be furloughed. This could include 12,500 employees at the CIA.

This will impact our ability to protect our nation and disrupt plots by Al Qaeda and other terrorist groups.

In the movie Zero Dark Thirty, there is a scene where seven CIA employees were killed in Khost, Afghanistan.

I went to the memorial service at Langley, which is in my district. I saw the families. I saw the young children mourning the death of their parents.

The first American killed in combat during the Afghanistan invasion? Michael Spann, a CIA employee—from my district.

What about NASA astronauts and scientists? Or DOE lab employees? This legislation will provide piece of mind to their families that, when the government reopens things will be okay. As their board of directors we should do what we can.

If a member of your family was kidnapped, who would you call? The FBI. What about the DEA Agents stopping drug runners and human trafficking. Customs and Border Patrol Agents stopping illegal immigrants. Prison guards working in a dangerous environment who, every day, keep violent felons behind bars.

All Federal employees.

The doctors and nurses at our VA hospitals and clinics helping wounded warriors recover and our veterans live with dignity.

Federal employees.

Who else? The defense civilians repairing sophisticated electronic weaponry systems at Army depots and Air Force. The firefighters you call when a lighting strike sets a national forest on fire and homes and business are in danger.

The park service rangers who help with a rescue in a National Park.

The air traffic controllers and DOT crash investigators.

Let's not forget the NIH researchers working to find a cure for breast cancer, and prostate cancer, and Alzheimer's and Autism.

This bill will provide some piece of mind to the researchers trying to find a cure, and who's work supplements thousands of businesses, large and small.

I know that all my colleagues recognize that Federal employees aren't just nameless faces behind desks, they are real people, out in the field, who work day-in and day-out to make our Nation a better and safer place.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from the State of Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I want to thank the gentleman for yielding.

I want to thank my colleague, FRANK WOLF. There's no harder advocate or effective advocate for Federal employees than FRANK WOLF. He and I have worked together for over 32 years on behalf of the interest of those people who work for the American people every day to make them safer, healthier, more informed. I want to thank the majority leader; I want to thank the ranking member; I want to thank the gentleman who offers his support of this bill; and I want to thank my colleagues.

Mr. Speaker, we're 5 days into a government shutdown caused by—well, I'm not sure what it's caused by. As a result, approximately 800,000 middle class workers who serve the American people are furloughed without pay. All of us talk about working Americans, how we want to make sure they have the jobs that they need to support themselves and their family.

Our Federal employees have already been asked to accept COLA freezes for the past 4 years, and they've endured changes to retirement benefits as well as the furloughs imposed by the irrational policy of sequester. I'm glad to see the chairman of the Appropriations Committee on the floor. There's been no more stronger voice on the irrationality of the sequester than my friend from Kentucky.

Only my colleagues on the other side of the aisle can say with certainty, if they can, when our Federal Government will be able to go back to work, but the American people are already noticing their absence, whether safeguarding our national parks, performing groundbreaking medical research at NIH, overseeing disaster relief efforts after a storm or wildfire, making sure nutrition assistance gets to the children and seniors who need it, or enforcing the laws that keep our community safe. Federal employees make a critical contribution to the country and communities and the American people they serve.

We saw their selfless nature and devotion of country on display this Thursday when, as the gentleman from Virginia (Mr. WOLF) said, U.S. Capitol Police personnel, Federal employees who are deemed essential for security and are currently on the job without the promise of pay, protected all of us who work in the Capitol complex during a security incident.

I am proud to represent 62,000 hard-working Federal employees in my district, yet most of the Federal employees are not in the Washington metropolitan area. Eighty percent of them are dispersed throughout this country, serving in every area, every community of our great land, many of whom serve in civilian defense roles at critical military institutions like Pax River, Indian Head, and Webster Field in my district. Each one of you could name a facility in your district.

One of them wrote to me to express his frustration of those who are preventing the government from reopening. He writes:

I'm quite tired of being punished when my only crime is supporting our great Nation with my labor.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CUMMINGS. I yield the gentleman an additional 1 minute.

□ 1000

Mr. HOYER. I want to thank my Republican colleagues for recognizing that pain and unfairness and bringing this bill to the floor. I hope all of us will support this bill.



Another constituent of mine who works at Pax River said this: "Please continue to work toward a solution that ends the furloughs for all Federal employees affected by the shutdown, not just a select few," as we're doing.

Mr. Speaker, we must reopen our government, and we could do so today, this hour. But until the majority allows a vote on the bill to reopen the government, let us at least provide the dedicated, patriotic Federal employees who want nothing more than to go back to work with the peace of mind that they will still be paid for their service.

I want to thank the gentleman from Virginia (Mr. MORAN). Mr. MORAN, like the gentleman from Virginia (Mr. WOLF), has been an extraordinary leader on behalf of Federal employees, as well as Congressmen GERALD CONNOLLY and STEVE LYNCH who sit here and others on the Republican side who have been aligned on that effort as well. Surely, surely we, the board of directors of the greatest enterprise on Earth, can take care of our employees and give them the confidence that they deserve.

I thank the gentleman from Maryland for the additional time.

Mr. TURNER. Mr. Speaker, I yield 1½ minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank the chairman for yielding me the time.

Mr. Speaker, this is a bipartisan bill, and I hope every Member in this House will be happy to support it.

I'm glad to see that, at the very least, the Senate has plans to take up this bill. Stop the presses. The Senate's going to take up a bill, even if they won't consider most of our other bills.

And as we wait for the Senate to come to the negotiating table on shutting the shutdown down, our Federal workforce should not wait to find out whether or not they'll be paid. This bill will provide backpay for those workers who have been furloughed in a fair, full, and timely manner after the shutdown ends. The House has made great strides toward this end. And in fact, as of yesterday, the House has approved 15 different options to fund the government. We have sent them over to the Senate. Sadly, the only response has been a loud snore.

I hope this bill, which I know is a priority for my colleagues on both sides of the aisle, will encourage this Congress to find that spirit of bipartisanship that seems to have evaporated over the last few weeks. It will demonstrate that we are able to let level heads prevail and that we can unite in our responsibility to care for the hundreds of thousands of people who serve this Nation day in, day out.

I want to thank the gentlemen from Virginia, Messrs. WOLF and MORAN, two very fine members of our Appropriations Committee, for bringing this bill to the floor, and I salute them. I urge my colleagues to provide our workforce with some certainty for their futures and pass this bill.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the distinguished sponsor of the bill from Virginia (Mr. MORAN).

Mr. MORAN. I thank my very close friend from Baltimore, Maryland, for yielding me the time.

Mr. Speaker, this bill is truly bipartisan. We have 177 cosponsors, 32 Republicans. It ensures that all Federal employees will be paid for the duration of the Federal Government shutdown.

The issue is fairness. It's just wrong for the hundreds of thousands of Federal employees not to know whether they're going to be able to make their mortgage payment, not to know whether they're going to be able to provide for their families. Many of them live from paycheck to paycheck, and they're absolutely committed to paying their bills when they come due.

I'm sure that this experience has been shared by many of our colleagues. They come to our offices. In fact, just 2 days ago, a woman came in and she started to kind of matter of factually explain the financial situation she had. And she just broke down sobbing. "I don't know how I can provide for my children if I don't get my paycheck." It wasn't through her fault. She didn't do anything wrong. It wasn't through any kind of performance. She's a hard-working employee. She's got commendations.

But we decided, because we haven't been able to fix the budget situation, that we're going to allow this government to shut down. So she's collateral damage. It's wrong—800,000 people are suffering. This would relieve their anxiety. That's why it's a simple matter of fairness, Mr. Speaker.

Now of course on this side of the aisle, we feel strongly that if we could just bring up a simple appropriations bill today, tomorrow, it would pass because there are enough Republicans that want to do that, combined with virtually all of the Democrats. But whether that happens or not, when it happens, this bill does need to happen.

It should be borne in mind, keeping these individuals at home is costing us about \$300 million a day in lost productivity. Hundreds of Federal workers have come to our offices, asking us to do this, asking us more importantly to let them go back to their work. They're dedicated to their jobs. So that's the underlying message, let them get back to work.

But in the meantime, let's get this passed. And let's bear in mind that this bill is introduced in a context that over the last 4 years, the Congress has frozen Federal employees' pay. We've cut their pension benefits, and we've furloughed thousands as a result of the sequester. The cumulative impact actually of these punitive measures will cost each Federal employee an average of \$50,000 over the budgeted period. I don't think that's fair. It's not right to punish a workforce of civil servants for whom we are the board of directors. We're responsible for this. Let's do the right thing. Let's get a unanimous vote

for this bill simply because it is the right thing to do.

Mr. TURNER. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, last summer, thousands of civilian defense workers were furloughed in violation of the law as the administration decided to spread the pain for political purposes.

In July, the House passed the Defense appropriations bill to fund the military, including those illegally furloughed employees, by 315 votes in an intensely bipartisan effort. And yet since July, the Majority Leader has yet to bring that bill to a vote in the Senate. This week, we passed a law to fund our military, although the administration attorneys are still arguing over what the word "support" means. And I commend the Department of Defense in their efforts to overcome this roadblock and get people back to work.

But because of these examples, it is imperative that all Federal employees are guaranteed they will receive the backpay that is due them. This will not cost the government extra. There is precedent. It is logical. Yes, our goal should be to start the government working. But as we are looking, within 2 weeks of this period of time, debt ceiling, the issue of sequestration, entitlement reform, a Senate that continues to demand that we spend an extra \$60 billion we don't have and ObamaCare, it is clear that the strategies of the past don't work.

Senator REID's position of "it's my way or nothing" has won. We have nothing. And we will continue to have nothing until something new breaks this logjam.

If the Senate were to engage in legitimate talks with real negotiations, that could break this logjam. So it is clear, the Senate's attitude is the key to ending the shutdown. But until that happens, it is significant that all Federal employees know that they will receive their funds, and they will not become innocent victims of the Senate's attitude of belligerence.

Mr. CUMMINGS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. LYNCH), a member of the committee.

Mr. LYNCH. Mr. Speaker, I thank the gentleman for yielding.

I also want to thank Mr. MORAN for his leadership and Mr. WOLF, as the lead sponsor of this bill, along with Mr. CUMMINGS, Mr. CONNOLLY, Mr. TURNER, Mr. ROGERS, and Mr. WITTMAN. I know there are a lot of staff as well who have been working hard on this bill.

Mr. Speaker, as ranking member of the Federal Workforce Subcommittee, I rise in strong support of H.R. 3223, the Federal Employee Retroactive Pay Fairness Act. This bipartisan legislation will ensure that our more than 800,000 Federal workers who have been placed on furlough since October 1 will receive full backpay for the duration of the government shutdown. This legislation recognizes that our middle-income

Federal employees are totally committed to serving the American people. And to their great credit, our public servants have remained ready, willing, and able to perform their duties, even in the face of mandatory increases in their retirement costs, sequestration, related furloughs, and as they face the likelihood of their fourth consecutive year of pay freeze imposed by this Congress.

Given that these furloughed employees have already carried a major part of the burden working towards deficit reduction, it would be unjust to expect them to bear the additional cost and uncertainty of a shutdown engineered by one extreme faction within the Republican Party—not all, but one extreme faction within that group—who are intent on destroying government operations for the sake of political brinkmanship.

I would also note that these furloughed Federal employees, nevertheless, perform mission-critical agency functions. Among the employees who have been sent home by the shutdown are Federal aviation safety monitors, Department of Defense military technicians, disease surveillance personnel at the Centers for Disease Control, and also food safety inspectors at the FDA, as well as NIH researchers who are engaged in experimental clinical trials that are life-and-death matters for some.

So it's, therefore, imperative that we also pass a clean continuing resolution so that these Federal workers can immediately return to their post.

Again, I thank Mr. MORAN, Mr. WOLF, and Mr. CUMMINGS for their great work on this important legislation and urge my colleagues on both sides of the aisle to support H.R. 3223.

Mr. TURNER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Mr. Speaker, I too would like to recognize the gentlemen from Virginia, Mr. WOLF and Mr. MORAN, for their leadership in bringing this forward and for the leadership on both sides of the aisle. This is absolutely necessary.

I rise today in strong support of the Federal Employee Retroactive Pay Fairness Act. And I'm proud to be part of a bipartisan group of cosponsors to make sure that this is something that got done and is being done in the best interests of our great Federal workforce.

This bill should really be called the "Pay Certainty Act" because that's exactly what it will do, provide certainty for our Federal employees who, through no fault of their own, were told that they were not allowed to come to work effective October 1.

Our Nation's dedicated civil servants have already been asked to shoulder the burden of numerous efforts to reduce government spending. We all know that it is a shared sacrifice. But they don't expect to do it alone. And I've talked to many Federal employees

who are willing to do their part. But like everyone else has said, they don't expect to shoulder these cuts alone.

These furloughs have had devastating impacts on people's lives, on the doctors and nurses at veterans hospitals who are responsible for taking care of the men and women who have faithfully served our Nation, on the law enforcement officers running down leads on terrorist threats and protecting our homeland, on the firefighters stationed at military installations around the globe, on our Capitol Police who protect your Congress and Capitol, and on the multitudes of other Federal employees who do a great job serving their Nation day in and day out. The only thing that they want is the ability to serve. And they have all done that in the greatest way possible. And for that, they have my deepest gratitude and sincere thanks, and I know they have the deepest gratitude and sincere thanks from all Members of this body. We deeply appreciate what they do for our Nation.

I urge my colleagues to support this legislation and to work together to get the work of the Nation done.

Mr. CUMMINGS. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY), the ranking member of our Government Ops Subcommittee.

Mr. CONNOLLY. Mr. Speaker, I thank the Republican manager and the distinguished ranking member, my good friend from Maryland (Mr. CUMMINGS).

Mr. Speaker, it's been an Orwellian week in which black is white and white is black. We've got Members who voted for the shutdown who appeared surprised that that led to the closure of national parks, which didn't stop some of them from berating park Federal employees for enforcing the shutdown. We have other Members in this Orwellian week saying that the shutdown is all about respect, and we've got to get something out of this; we just don't know what it is.

So, finally, a moment of decency. Finally, we turn to the men and women who serve our country, the 800,000 Federal employees who are furloughed, and we do something decent for them. We alleviate the angst of whether there will be that paycheck whenever we get around to reopening the government.

This week, one of those dedicated civil servants from my constituency, Dave Lavery, received the prestigious Service to America Medal in recognition of his exemplary leadership of the 6,000-person team that conceived and executed NASA's incredible Curiosity Rover Mission to Mars.

America is unbelievably fortunate to have this kind of talented and passionate Federal worker like Dave Lavery, whose public service should be celebrated, appreciated, and yes, compensated.

On October 1, Dave was one of 17,600 NASA employees deemed "non-essential" and was furloughed. The

irony was that Dave had to consult the Ethics Office of NASA to see if he could go to his own awards ceremony because of his "nonessential" furloughed status. That's what we're reduced to. So today's bill at least redresses one wrong in this otherwise Orwellian exercise called the Federal shutdown.

□ 1015

Mr. TURNER. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I want to thank the gentlemen from Virginia, Messrs. MORAN and WOLF, for their effort, but also for personally coming up to me and asking me to be an early advocate of this very important bill.

Like them, I have many constituents who are Federal employees who are furloughed right now, including most of the majority of them being civilian employees at Offutt Air Force Base and STRATCOM. The legislation that we are considering here today will ensure that the 800,000 Federal employees are paid for the time lost or off work during this impasse.

Now, we worked last week in a bipartisan effort to make sure that our military would be paid, and included in that bill called Pay Our Military Act was also very clear language that protected civilian DOD workers who are furloughed. But, unfortunately, in a bizarre "what's the definition of 'is' discussion" in the White House and DOD, they furloughed 60-70 percent of the civilian employees where there are critical missions, endangering our country.

So having a bill like this where we come together in a bipartisan way, we can reduce some level of frustration, we can give some level of peace of mind to those employees that they will be reimbursed for their time lost, they will get paid. I want the DOD today to put those civilian DOD employees back to work as it's clearly in the law.

Now, there is historical precedent for this, all of the way back to Ronald Reagan and Tip O'Neill and their six closings when employees were paid and reimbursed for their time off, and so it should be for this effort. This is bipartisan. The President has said he will sign this. I urge my colleagues to support this effort.

Mr. CUMMINGS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Maryland (Mr. VAN HOLLEN), the ranking member of the Budget Committee.

Mr. VAN HOLLEN. Mr. Speaker, I thank my friend from Maryland.

No one should be made to suffer for actions that are no fault of their own, so I'm very pleased that we're taking up this measure to ensure that dedicated Federal workers who are among the many innocent victims of this government shutdown will be held harmless in the long run. But this important measure simply highlights the sheer folly of keeping the Federal Government shut down for one additional minute. These are public servants who

are paid to do what they love to do—to serve the public. So for goodness sake, let them all get back to work for the public now.

This bill, Mr. Speaker, doesn't say let's just pay the Federal employees at FEMA. It doesn't say let's just pay the Federal employees at the national parks. It doesn't say let's just pay the Federal employees at the piecemeal, cherry-picking agencies that our Republican colleagues have brought to the floor. It says let's make sure we hold all Federal employees whole. Absolutely. And let's reopen the entire Federal Government and do it now. Mr. Speaker, let us have a vote on that very simple proposition.

Mr. TURNER. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I support this bill which will make sure that Federal workers who are furloughed because of the shutdown are paid; but I would also point out that the average salary of a Federal worker is \$78,500, and so what I don't understand is why my colleagues on the other side of the aisle, how they can decide which of the funding bills that we have passed during this shutdown are actually worthy of their support, because this week they said "no" to opening up our national memorials or opening up our national parks, like Yellowstone or the Grand Canyon, but they're saying "yes" to paying Federal workers. They said "no" to veterans benefits, but "yes" to paying Federal workers; "no" to women and babies on food assistance; "no" to children with cancer treatments, but "yes" to paying Federal workers; "no" to the National Guard and Reserve, but "yes" to other Federal workers.

Clearly it is time for both sides, Mr. Speaker, to sit down in a conference to negotiate a compromise in a bipartisan manner and to end this shutdown.

Mr. CUMMINGS. Mr. Speaker, I would say that we on this side of the aisle say "yes" to opening the entire government.

And with that, I yield 45 seconds to the distinguished gentleman from Washington (Mr. KILMER).

Mr. KILMER. Mr. Speaker, I rise in strong support of this bill. For the last few years, Federal workers have borne the brunt of Congress' failure to deal with its long-term budget issues: going 3 years without a cost-of-living adjustment; facing furloughs from sequestration; and, now, the uncertainty of further reductions in pay because of the shutdown. Enough is enough.

This shutdown is having a big impact not just on DOD workers and park workers and VA workers and others facing furloughs, but on our entire community, folks who won't be able to replace a car or make a home payment or go buy a new TV. That affects our economy. That's why I support this bill, and it's also why I am introducing legislation to provide backpay to workers to compensate them for sequestration-related furloughs as well.

We need to end this partisan bickering, end the gridlock, end the shutdown, and get Congress and government back to work.

Mr. TURNER. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. COFFMAN).

Mr. COFFMAN. Mr. Speaker, I rise in support of H.R. 3223, the Federal Employees Retroactive Pay Fairness Act.

This is an issue of fairness. Five days ago, the President signed my legislation, the Pay Our Military Act. However, hours later, the DOD comptroller sent an email to all DOD civilian employees who were included in the act, which is now law, that there would be furloughs starting immediately despite acknowledgment of the new law.

Last night, media sources reported that the Secretary of Defense had a change of heart—no doubt due to the multitude of letters he had received from me and my colleagues on this subject—and decided to bring these furloughed employees back to work.

Mr. Speaker, it would be a shame if the thousands of DOD civilian employees who were needlessly furloughed were not paid for time they could have spent working had the Secretary given the same level of priority to this issue that he did to college football.

Mr. CUMMINGS. Mr. Speaker, I yield 45 seconds to the gentleman from New Mexico (Mr. LUJÁN).

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise in support of this bill which is important to all the Federal employees in New Mexico. This bill ensures that furloughed employees will be made whole. It is also important for contract employees who work at our national labs. It is clear that Congress intends to insulate those workers who provide vital services to our Nation from the effects of the shutdown.

In the past, DOE has sought to treat lab employees the same as Federal employees. This legislation sets the precedent for how those employees will be treated. We are sending the message that DOE should certify backpay for lab employees as an allowable cost so they will be made whole if they are furloughed. I submit into the RECORD my letter to Secretary Moniz expressing congressional intent to insulate those workers who provide vital services to our Nation from the effects of a shutdown, which includes contract employees at our national labs.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, October 5, 2013.

Dr. ERNEST MONIZ,  
Secretary of Energy, Washington, DC.

SECRETARY MONIZ: I write today to call your attention to the many New Mexicans who work at Los Alamos and Sandia National Laboratories who have been adversely affected by the continuing budget impasse in Congress and the resulting shutdown. As you know, these labs are essential to our nation's national security as well as its scientific and research capabilities. Their workforce is comprised of many of the smartest scientists, engineers, and researchers in our country, all of whom have devoted their careers to serving and protecting our nation.

This government shutdown risks betraying these men and women who have made personal sacrifices for our collective security and technological advancement. While lab employees work for the contractors who manage the labs, they are subject to much of the same uncertainty as their colleagues in the federal workforce. While neither of the New Mexico NNSA laboratories have yet announced a need to furlough their workforce, a number of my constituents have written to my office or contacted me directly to share the stress of potentially being furloughed from the labs and missing out on a needed paycheck.

Today, the House of Representatives will pass H.R. 3223, the Federal Employee Retroactive Pay Fairness Act, which would compensate all federal employees who would not otherwise receive their full salaries due to the shutdown. President Obama has declared that he supports the legislation and his office writes,

"Federal workers keep the Nation safe and secure and provide vital services that support the economic security of American families. The Administration appreciates that the Congress is acting promptly to move this bipartisan legislation and looks forward to the bill's swift passage."

The overwhelming bipartisan support for this legislation demonstrates the clear Congressional desire that the federal workforce should not be adversely impacted by the shutdown nor should they shoulder the burden of its resulting uncertainty. While the employees of New Mexico's national laboratories are not included within the bill's specific terms, Congress clearly intends that those workers who provide such vital services for our nation should be insulated from the effects of a protracted shutdown.

It is my understanding that the Department of Energy can certify to the labs that it is an "allowable cost" for them to use their appropriated dollars to compensate their employees for back pay due to any furloughs caused by a shutdown. Due to the tremendous economic uncertainty currently faced by the laboratories' workforce, I urge you to certify as soon as possible that back pay will be allowable upon the restoration of government functions. The employees of our nation's national laboratories deserve to know that they will be fully compensated for their service to our nation.

Sincerely,

BEN RAY LUJÁN,  
Member of Congress.

Mr. TURNER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I am pleased to see that once again this Chamber is moving forward with yet another bill to fund our government. Today, we're ensuring that all Federal employees are paid so their families are not harmed during this time. I know how these families feel because I was a Federal employee for 16 years. I am also proud to represent Scott Air Force Base in the metro east area of Illinois. Whether they are Active Duty, civilian, Reserve, Guard, or retired, we must take care of our military. The House has already acted to ensure that these men and women are paid; but, unfortunately, this administration has chosen needlessly to furlough workers.

Today, I stand with these hard-working men and women, and I also stand against this administration that

always seems to find a way to make situations like this as painful as possible. We have been told to make things difficult for people as much as we can, said a park ranger this week to reporters.

I had a similar experience a few months ago with an airport in my district that was at risk of losing their control tower, even though we told the administration how they could shift the money around. To solve this problem, Mr. Speaker, we had to stand on this floor and pass a bill, and now that tower remains open. Congress had to pass a bill and has to pass a bill now to stop this behavior, and I am offended by the punitive behavior of this White House then and today.

Mr. Speaker, I stand with all military personnel.

Mr. CUMMINGS. Mr. Speaker, I yield 45 seconds to the gentleman from Texas (Mr. HINOJOSA), chairman of the Congressional Hispanic Caucus.

Mr. HINOJOSA. Mr. Speaker, I rise in support of the bipartisan bill, H.R. 3223, the Federal Employee Retroactive Pay Fairness Act. Today is the fifth day of the government shutdown; 87 percent of Americans expressed in a political poll unhappiness with the direction of Washington with this shutdown. Federal employees are dedicated public servants who are just trying to do their jobs, support their families, and contribute to the economy. They did not ask to be furloughed, and they had no time to plan financially for this crisis brought on by the stubbornness of the Republican Party. It seems to me that by supporting this bill, we are not trying to give them a paid vacation. If my colleagues on the other side of the aisle would bring a clean CR to the floor, they could all be back to work on Monday. These families are victims of the dysfunction of this Congress.

Mr. TURNER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Speaker, I rise today in support of this bill to guarantee our Federal workers are paid. They shouldn't be the innocent pawns in the middle of a debate caused by us unable to work with the Senate. We are ready to talk. We are ready, willing, and able to talk; but we need to ratchet down the rhetoric a little bit, make sure our employees get paid, make sure they get taken care of, and make sure that the men and women who work in places in my district, the district I represent—like the Naval Air Station Corpus Christi, like Padre Island National Seashore, like the Aransas Wildlife Refuge—are secure and safe. We need to get this done.

The Republicans are trying to lessen the impact of this, passing bill after bill. We have passed something to fund the entire government, including most of ObamaCare with the exception of the individual mandate. We are ready, willing, and able to negotiate, and I call on the Senate to come over and talk to us so we can get this done.

Mr. CUMMINGS. I remind the gentleman we could get it done today. We want to open up the entire government today.

With that, Mr. Speaker, I yield 45 seconds to the gentlewoman from Maryland (Ms. EDWARDS).

(Ms. EDWARDS asked and was given permission to revise and extend her remarks.)

Ms. EDWARDS. Mr. Speaker, I thank my colleague. I rise in support of H.R. 3223, and I speak in support of Tracy in Laurel who lives in my district who works at HHS. She helps her mom out every month with her Federal salary; and Christopher and his wife, both of whom work at the Department of Homeland Security, live in Millersville, and they are both on furlough. And Dini, who is a single parent in Oxon Hill, she has already been furloughed this summer and suffers mightily.

So, Mr. Speaker, I think this is the right thing to do; but let's keep in mind that the longer we stay out, meeting the day-to-day needs of our Federal workforce is really tough. Some of these people will really struggle even if they are guaranteed retroactive pay. It's time for us to get the entire government back to work.

Mr. TURNER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. ROTHFUS).

□ 1030

Mr. ROTHFUS. Mr. Speaker, this morning, I rise in strong support of the Federal Employee Retroactive Pay Fairness Act.

Federal workers from western Pennsylvania have reached out to my office. They are concerned about the impact of this shutdown on their families' budgets. These workers serve their fellow citizens. We recognize and thank them for that service.

This bill will retroactively pay Federal employees furloughed during the government shutdown. Federal workers in western Pennsylvania and around the Nation should not be punished for the Senate's refusal to come to the table and negotiate an end to the shutdown.

I urge my Republican and Democrat colleagues to pass this bill.

Mr. CUMMINGS. Mr. Speaker, may I inquire as to how much time we have remaining on both sides?

The SPEAKER pro tempore. The gentleman from Maryland has 1 minute remaining; the gentleman from Ohio has 3 minutes remaining.

Mr. CUMMINGS. I yield 15 seconds to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Thank you, Mr. CUMMINGS, for yielding.

Mr. Speaker, I was walking on the floor moments ago, and my colleague on the other side said that this failure to pass a CR was punitive behavior of this White House. I cannot allow that to go unanswered. The fact is that there are 260 votes right now in this Chamber to pass a clean CR today.

Mr. TURNER. I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, may I inquire as to whether the gentleman has additional speakers?

Mr. TURNER. We do not.

Mr. CUMMINGS. I yield myself the balance of my time.

Mr. Speaker, it is critical that the House pass H.R. 3223 to ensure that our dedicated Federal employees are made whole and receive backpay once this shutdown comes to an end.

Federal employees have been the subject of relentless attacks on their pay and benefits over the last 3 years. This bill is the least we should do. Our hard-working public servants should not become collateral damage in the political games and ideological wars that the Republicans are waging. I would hope that we would have a unanimous vote, because there are so many people that are living from paycheck to paycheck, and they need our vote.

I would suggest that we open up the entire government so that all of our employees can get back to work, and I yield back the balance of my time.

Mr. TURNER. I yield myself such time as I may consume.

Mr. Speaker, the other side of the aisle would have us believe that this shutdown is somehow a Republican-engineered shutdown. They would have you believe that the government only shuts down with Republican leadership, and we know that that's not the case.

The government shuts down when there's a failure of the democratic process to work and parties to negotiate in good faith and the deliberative process of democracy to move forward. The President has absolutely shut that down with his refusal to negotiate.

We had a government shutdown when Mr. Reagan was in the White House. Under President Reagan, the Democrat-controlled Congress shut the government down a total of eight times, for 14 days. So a Democrat-controlled Congress actually shut the government down under Reagan for longer than it has been shut down now. Again, under Mr. Clinton, the House also shut the government down.

In each of those instances, there was something different than what's now—and that is that there were negotiations going on. President Reagan was negotiating with the House and Senate. President Clinton was negotiating with the House and Senate. But this President said absolutely no negotiations.

This President will negotiate with Syria. He'll negotiate with Iran. He'll even have secret negotiations with Russia and secret deals. But he will not negotiate with the legislature.

Now, what won't he negotiate over?

He won't negotiate over the debt limit. He wants to take the country from \$17 trillion to \$19 trillion in debt. No negotiations.

He won't negotiate on his sequestration. In my community, there were 12,000 people that were furloughed. The President will not negotiate on his sequester.

The President will not negotiate on funding the government. We have sent countless bills over to the Senate that would reopen the national parks, that would fund the veterans, that would allow Washington, D.C., to spend its own funds, and HARRY REID heartlessly has said in response to these bills that would provide needed services, Why would we do that?

But we know that the President is playing politics because this House and the Senate passed the Pay Our Military Act. It was signed by the President of the United States. I have sent letters to Secretary Hagel and to the President questioning why he would have furloughed 400,000 DOD workers when he had signed the Pay Our Military Act, and 8,700 workers in my community were furloughed.

How do we know they were playing politics by letting the Department of Defense employees go even though the President had full authority to fund them? Because he's going to be calling them back. He's calling them back without any other passage of any other law or any other law that he signs. So clearly, the President is admitting that he's been playing politics with these furloughs—and it needs to stop.

It also needs to stop so our Federal workers do not have to worry about their pay, they do not have to worry about the impacts on their personal lives. They have child care expenses, house payments to make, kids that are in college. And while the President refuses to negotiate, while he's playing politics, they shouldn't worry about whether or not they can make ends meet.

I encourage my colleagues to support H.R. 3223 that would restore the pay to Federal workers and ensure that they have the security that they need.

I yield back the balance of my time.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, October 1, 2013.

Hon. CHUCK HAGEL,  
Secretary of Defense,  
Washington, DC.

DEAR MR. SECRETARY: On September 30, 2013, Congress passed and the President signed into law the Pay Our Military Act to reverse the devastating impacts of a government shutdown on civilian employees. Under the law, you are authorized to "provide pay and allowances to the civilian personnel of the Department of Defense (and the Department of Homeland Security in the case of the Coast Guard) whom the Secretary concerned determines are providing support to members of the Armed Forces." This certainly applies to the civilian men and woman at Wright-Patterson Air Force Base who work diligently in support of the Armed Forces. The law is clear and provides the department as well as the United States Coast Guard with the authority to immediately call its civilian employees back to work.

I am deeply concerned with the impacts to the Department of Defense caused by a government shutdown. The current situation poses a great risk to military readiness and undermines the department's ability to carry out its mission. While our uniformed men and women may be exempt from furlough, I remain deeply concerned with the

status of our civilian employees caused by the current shutdown of the federal government. Just like our uniformed service men and women, these civilians play an integral role in ensuring the safety and security of our nation. At Wright-Patterson Air Force Base alone, over 9,000 civilian employees have been furloughed and therefore prohibited from coming to work.

I await an immediate update on the department's implementation of the law and will continue to work with you as we put the government back to work and mitigate the impacts of a government shutdown.

Sincerely,

MICHAEL R. TURNER,  
Member of Congress.

President BARACK OBAMA,  
President of the United States of America, The  
White House, Pennsylvania Avenue, Wash-  
ington, DC.

DEAR MR. PRESIDENT: I am deeply disturbed to learn that your Administration has decided not to immediately put the Department of Defense's civilian personnel back to work despite having the legal authority to do so.

On September 30, 2013, Congress passed and you signed into law the Pay Our Military Act to reverse the devastating impacts of a government shutdown on Department of Defense civilian employees. Under the law that you yourself signed, you are authorized to "provide pay and allowances to the civilian personnel of the Department of Defense (and the Department of Homeland Security in the case of the Coast Guard) whom the Secretary concerned determines are providing support to members of the Armed Forces." Failure to fully implement this law not only goes against the will of Congress but puts at risk the safety and security of the United States.

As Commander and Chief, I urge you to restore the department's civilian workforce in its entirety to include the 9,000 furloughed civilian employees currently serving at Wright-Patterson Air Force Base in my district. The hardworking civilians at Wright-Patterson are a critical national security asset and certainly "provide support to members of the Armed Forces." Using our defense civilian employees as political bargaining chips is unacceptable and is in direct violation of the United States Constitution.

I urge you to comply with existing law and await an immediate update on the planned implementation of the Pay Our Military Act.

Sincerely,

MICHAEL R. TURNER,  
Member of Congress.

Ms. EDWARDS. Mr. Speaker, we are in day five of the Republican shutdown, without an end in sight. Let's be clear that this is a manufactured crisis designed to promote ideology at the expense of needs of our constituents, the American people.

Today, I rise in strong support of H.R. 3223, the Federal Employee Retroactive Pay Fairness Act. I am an original cosponsor of this vital piece of legislation to ensure furloughed federal employees receive back pay for the duration of the government shutdown, regardless of their work status. I would like to thank my Virginia colleagues, Representatives MORAN and WOLF, for their leadership on this issue and I am proud to be a part of the bipartisan Washington-area delegation that drafted and introduced this bill that will provide some certainty to federal workers and their families.

Roughly 800,000 federal workers across the country, who work hard to make our nation a safer and better place to live, will lose their pay because they have been furloughed as a result of the government shutdown unless

Congress and the President enact legislation to ensure their pay. Under this legislation, federal workers would get retroactive pay, regardless of their furlough status, once the government is funded.

Federal workers should not be held responsible for Congress' inability to pass a budget. Yet, it is the American people, including millions of federal workers, and the U.S. economy who will pay the price.

They are workers like Tracey out in Laurel, Maryland, who has contacted my office. She works at the Department of Health and Human Services and besides meeting her own obligations, she helps her mother pay bills each month. When she called my office, she was crying, she was in tears, because she wants this shutdown to stop so that she can get back to work and to pay her bills.

As Tracey knows all too well, government employees have already shouldered a great deal of the burden of past deficit reduction measures and have lived through the pain of sequestration. Civilian federal employees already have been subjected to a three-year pay freeze, and automatic, across-the-board budget cuts resulted in furloughs for thousands of workers this summer.

They are workers like Dini who lives in Oxon Hill—and I too live in Oxon Hill. She is a single parent who was already furloughed earlier this summer, and now she isn't sure how she is going to pay the bills or take care of her child. In fact, some of these federal workers still have to pay childcare to keep the spot in daycare, even though they are not being paid, they are not working, and may not even have their child at the daycare facility.

Then there are workers like Christopher from Millersville: He and his wife are both employed at the Department of Homeland Security in support of the security of this nation. They were both furloughed earlier this summer, and they find themselves furloughed once again.

That is why this legislation is so critical to ensure our federal workers receive the back-pay they deserve. The time is long over-due to provide certainty to our dedicated public servants, who we rely on for public safety, research, and national security. Today's proposal shields family pocketbooks and reaffirms our commitment to our federal workforce—providing these employees with retroactive compensation, as we have historically done in past shutdowns.

Federal workers who stay on the job during a shutdown are paid but not until the government is back up and running. Authorizing back pay is an important step for furloughed federal workers. So with passage of this legislation, all federal employees will be paid and treated the same. However, to be clear this doesn't solve all of their problems. Their paychecks will be delayed depending on how long the shutdown lasts. So, they may not be able to meet their bills on time if the government remains shutdown and they don't receive their paychecks.

This legislation by itself won't address the funding lapse or its consequences. We still must end the shutdown and open the government so federal workers can get back to work and receive that back pay in a timely manner.

I urge the House Republican Leadership to immediately bring up the Senate-passed clean funding compromise, which could go directly to the President and open up the entire government for all of the American people today.

Mr. PASCARELL. Mr. Speaker, I regret that I was unable to attend today's session of Congress, as I was unavoidably detained in my district. Had I been present, I would have strongly supported passage of H.R. 3223, the Federal Employee Retroactive Pay Fairness Act.

Federal employees are currently caught in the crossfire, collateral damage in the Republican Party's war against the Affordable Care Act. The Republican Party's refusal to fund our government has resulted in a shutdown that is threatening our economic recovery and severely impacting crucial federal services. It needs to end immediately. This shutdown has caused 800,000 federal employees to be furloughed, with no end in sight. This is personally impacting these dedicated federal employees and their families, who are not receiving a pay check, while many Members of Congress continue to take theirs. Furthermore, there is no guarantee that these furloughed workers will receive back pay when this crisis is resolved.

These employees should not be punished because of Congress's failures. I support this legislation because it will ensure that as soon as the Republican Party comes to its senses and allows an up or down vote on a clean Continuing Resolution, our government will reopen and these employees will receive their just compensation.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 3223, the "Federal Employees Retroactive Pay Fairness Act," which provides for retroactive pay for nearly 800,000 federal workers who have been furloughed as a result of the government shutdown engineered by the Tea Party faction of House Republicans.

I am pleased to co-sponsor and support this bill because it is the right thing to do. The men and women who have been furloughed because of this manufactured crisis are not responsible for the budget impasse.

They did not vote to reject the clean continuing resolution passed by the Senate that would have resolved the crisis and made this legislation necessary.

The dedicated men and women of the federal civilian workforce, like those who serve in the Armed Forces, have not spent their professional lives trying to defund the Affordable Care Act or threatening to refuse to raise the debt limit and risking the full faith and credit of the United States.

Instead, these loyal and committed public servants are motivated by their paramount interest in serving the American public without fear or favor and, for the last four days, without any guarantee that they would be compensated for their labor.

And yet, they gladly and willingly serve, some risking their lives to keep us safe. Others stand watch monitoring weather systems and providing information necessary to protect the public from hurricanes and tornadoes and wildfires or conduct research to find cures for disease or that will lead to technological innovations or help us mark and measure the far reaches of space.

Others work to secure the borders and homeland, ensure the safety of our food and water, serve our seniors and children, provide training and support for those looking for work, and protecting our environment and keeping watch over our treasures—our national parks and monuments, including this magnificent Capitol where the people have sent us to do their business.

Mr. Speaker, the men and women of the federal workforce do the people's business. They serve everyone equally. They do not single out some persons to serve and ignore others. They do not cherry-pick.

We should follow their example. And the best way to do that is to call up and put to a vote the clean continuing resolution passed by the Senate last week.

That is the best way to keep faith with all persons who serve the American people as employees of the Federal Government, and those who depend upon the services they provide.

Mr. Speaker, holding harmless the federal employees who have been furloughed by this unnecessary government shutdown is a matter of simple justice.

I urge all Members to join me in voting for H.R. 3223.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as we enter the fifth day of the Republican government shutdown, thousands of federal employees and their families must continue to face the uncertainty of how soon they will be able to return to work. The longer that this shutdown continues, the harder it will be for the more than 800,000 workers on furlough to budget and plan for the future.

That is why, in a gesture of basic equality, I am an original cosponsor of H.R. 3223, the Federal Employee Retroactive Pay Fairness Act. This common sense legislation would provide retroactive compensation to federal employees who have been furloughed due to the House Republican leadership's refusal to pass a clean budget. Hundreds of thousands of federal workers, many of whom belong to the middle class, are still recovering from a three-year pay freeze. Placing the additional burden of unpaid leave of absence on these families is both unnecessary and unjust.

The consequences of the Republican government shutdown extend far beyond federal workers and their paychecks. Federal research activity is already grinding to halt, impacting our longterm competitiveness and capacity to innovate. Consumer protections through the Federal Aviation Administration, the Department of Health and Human Services, and others have ceased. Further, the U.S. economy is losing millions of dollars in lost economic output each day that the federal government remains closed.

Mr. Speaker, House Republicans have been determined to cause a government shutdown in order to advance an extreme political agenda. Now, the American people and the U.S. economy are stuck with the consequences. Retroactively paying these federal employees will help mitigate the negative effects of this unexpected furlough. We owe it to the American people to practice good governance and Republicans in Congress have failed at this most basic responsibility.

The SPEAKER pro tempore (Mr. WALDEN). All time for debate has expired.

Pursuant to House Resolution 371, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CUMMINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the question of passage of the bill will be followed by a 5-minute vote on the motion to suspend the rules and agree to House Concurrent Resolution 58.

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 24, as follows:

[Roll No. 525]

YEAS—407

Aderholt	Cuellar	Hastings (FL)
Amash	Culberson	Hastings (WA)
Amodei	Cummings	Heck (NV)
Andrews	Daines	Heck (WA)
Bachmann	Davis (CA)	Hensarling
Bachus	Davis, Danny	Himes
Barber	Davis, Rodney	Hinojosa
Barletta	DeFazio	Holding
Barr	Delaney	Holt
Barrow (GA)	DeLauro	Honda
Barton	DelBene	Horsford
Beatty	Denham	Hoyer
Becerra	Dent	Hudson
Benishek	DeSantis	Huelskamp
Bentivolio	DesJarlais	Huffman
Bera (CA)	Deutch	Huizenga (MI)
Bilirakis	Diaz-Balart	Hultgren
Bishop (GA)	Dingell	Hunter
Bishop (NY)	Doggett	Hurt
Bishop (UT)	Doyle	Israel
Black	Duckworth	Issa
Blackburn	Duffy	Jackson Lee
Blumenauer	Duncan (SC)	Jeffries
Bonamici	Edwards	Jenkins
Boustany	Ellison	Johnson (GA)
Brady (PA)	Ellmers	Johnson (OH)
Brady (TX)	Engel	Johnson, E. B.
Braley (IA)	Enyart	Jordan
Bridenstine	Eshoo	Joyce
Brooks (AL)	Esty	Kaptur
Brooks (IN)	Farenthold	Keating
Brown (GA)	Farr	Kelly (IL)
Brown (FL)	Fattah	Kelly (PA)
Brownley (CA)	Fincher	Kennedy
Buchanan	Fitzpatrick	Kildee
Bucshon	Fleischmann	Kilmer
Burgess	Fleming	Kind
Bustos	Flores	King (IA)
Butterfield	Forbes	King (NY)
Calvert	Fortenberry	Kingston
Camp	Foster	Kinzinger (IL)
Campbell	Fox	Kirkpatrick
Cantor	Frankel (FL)	Kline
Capito	Franks (AZ)	Kuster
Capps	Frelinghuysen	LaMalfa
Capuano	Fudge	Lamborn
Carney	Gabbard	Lance
Carson (IN)	Gallego	Langevin
Carter	Garamendi	Lankford
Cartwright	Garcia	Larsen (WA)
Cassidy	Gardner	Larson (CT)
Castor (FL)	Garrett	Latham
Castro (TX)	Gerlach	Latta
Chabot	Gibbs	Lee (CA)
Chaffetz	Gibson	Levin
Chu	Gingrey (GA)	Lewis
Cicilline	Gohmert	Lipinski
Clarke	Goodlatte	LoBiondo
Clay	Gosar	Loehsack
Cleaver	Gowdy	Lofgren
Clyburn	Granger	Long
Coble	Graves (GA)	Lowenthal
Coffman	Graves (MO)	Lowe
Cohen	Grayson	Lucas
Cole	Green, Al	Luetkemeyer
Collins (GA)	Green, Gene	Lujan Grisham
Collins (NY)	Griffin (AR)	(NM)
Conaway	Griffith (VA)	Lujan, Ben Ray
Connolly	Grijalva	(NM)
Conyers	Grimm	Lynch
Cook	Guthrie	Maffei
Cooper	Gutiérrez	Maloney,
Costa	Hahn	Carolyn
Cotton	Hall	Maloney, Sean
Courtney	Hanabusa	Marchant
Cramer	Hanna	Marino
Crawford	Harper	Massie
Crenshaw	Harris	Matheson
Crowley	Hartzler	Matsui



McCarthy (CA) Polis  
 McCaul Pompeo  
 McClintock Posey  
 McCollum Price (GA)  
 McDermott Price (NC)  
 McGovern Quigley  
 McHenry Radel  
 McIntyre Rahall  
 McKeon Reed  
 McKinley Reichert  
 McMorris Ribble  
 Rodgers Rice (SC)  
 McNerney Richmond  
 Meadows Rigell  
 Meehan Roby  
 Meeks Roe (TN)  
 Meng Rogers (KY)  
 Messer Rogers (MI)  
 Mica Rohrabacher  
 Michaud Rokita  
 Miller (FL) Rooney  
 Miller (MI) Ros-Lehtinen  
 Miller, George Roskam  
 Moore Ross  
 Moran Rothfus  
 Mullin Roybal-Allard  
 Mulvaney Royce  
 Murphy (FL) Ruiz  
 Murphy (PA) Runyan  
 Nadler Ruppertsberger  
 Napolitano Ryan (OH)  
 Neal Ryan (WI)  
 Negrete McLeod Salmon  
 Neugebauer Sanchez, Linda  
 Noem T.  
 Nolan Sanford  
 Nugent Sarbanes  
 Nunes Scalise  
 Nunnelee Schakowsky  
 O'Rourke Schiff  
 Olson Schneider  
 Owens Schrader  
 Palazzo Schwartz  
 Pallone Schweikert  
 Pastor (AZ) Scott (VA)  
 Paulsen Scott, Austin  
 Payne Scott, David  
 Pearce Sensenbrenner  
 Pelosi Serrano  
 Perlmutter Sessions  
 Perry Sewell (AL)  
 Peters (CA) Shea-Porter  
 Peters (MI) Sherman  
 Peterson Shimkus  
 Petri Shuster  
 Pingree (ME) Simpson  
 Pitts Sinema  
 Pocan Sires  
 Poe (TX) Slaughter

## NOT VOTING—24

Bass Labrador  
 Cárdenas Lummis  
 DeGette McCarthy (NY)  
 Duncan (TN) Miller, Gary  
 Herrera Beutler Pascrell  
 Higgins Pittenger  
 Johnson, Sam Rangel  
 Jones Renacci

□ 1057

Ms. SLAUGHTER and Mr. GINGREY of Georgia changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# EXPRESSING SENSE OF CONGRESS REGARDING NEED FOR CONTINUED AVAILABILITY OF RELIGIOUS SERVICES TO MEMBERS OF THE ARMED FORCES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 58) expressing the sense of Congress regarding the need for the continued availability of religious services to members of the Armed Forces and their families during a lapse in appro-

priations, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. WILSON) that the House suspend the rules and agree to the concurrent resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 1, not voting 30, as follows:

[Roll No. 526]

## YEAS—400

Aderholt Cuellar Heck (NV)  
 Amash Culberson Heck (WA)  
 Amodei Cummings Hensarling  
 Andrews Daines Himes  
 Bachmann Davis (CA) Hinojosa  
 Bachus Davis, Danny Holding  
 Barber Davis, Rodney Holt  
 Barletta DeFazio Honda  
 Barr Delaney Horsford  
 Barrow (GA) DeLauro Hoyer  
 Barton DelBene Hudson  
 Beatty Denham Huelskamp  
 Becerra Dent Huffman  
 Benishek DeSantis Huizenga (MI)  
 Bentivolio DesJarlais Hultgren  
 Bera (CA) Deutch Hunter  
 Bilirakis Diaz-Balart Hurt  
 Bishop (GA) Dingell Israel  
 Bishop (NY) Doggett Issa  
 Bishop (UT) Doyle Jackson Lee  
 Black Duckworth Jeffries  
 Blackburn Duffy Jenkins  
 Blumenauer Duncan (SC) Johnson (GA)  
 Bonamici Edwards Johnson (OH)  
 Boustany Ellison Johnson, E. B.  
 Brady (PA) Ellmers Jordan  
 Brady (TX) Engel Joyce  
 Braley (IA) Eshoo Kaptur  
 Bridenstine Esty Keating  
 Brooks (AL) Farenthold Kelly (IL)  
 Brooks (IN) Farr Kelly (PA)  
 Broun (GA) Fattah Kennedy  
 Brown (FL) Fincher Kildee  
 Brownley (CA) Fitzpatrick Kilmer  
 Buchanan Fleischmann Kind  
 Bucshon Fleming King (IA)  
 Burgess Flores King (NY)  
 Bustos Forbes Kingston  
 Butterfield Portenberry Kintzinger (IL)  
 Calvert Foster Kirkpatrick  
 Camp Foxx Kline  
 Campbell Frank (FL) Kuster  
 Cantor Franks (AZ) LaMalfa  
 Capito Frelinghuysen Lamborn  
 Capps Fudge Lance  
 Capuano Gabbard Langevin  
 Carney Gallego Lankford  
 Carson (IN) Garamendi Larsen (WA)  
 Carter Garcia Larson (CT)  
 Cartwright Gardner Latham  
 Cassidy Garrett Latta  
 Castor (FL) Gerlach Lee (CA)  
 Castro (TX) Gibbs Levin  
 Chabot Gibson Lewis  
 Chaffetz Gingrey (GA) Lipinski  
 Chu Gohmert LoBiondo  
 Cicilline Goodlatte Loebuck  
 Clarke Gosar Longfren  
 Clay Gowdy Long  
 Cleaver Granger Lowenthal  
 Clyburn Graves (GA) Lowey  
 Coble Graves (MO) Lucas  
 Coffman Grayson Luetkemeyer  
 Cohen Green, Al Lujan Grisham  
 Cole Green, Gene (NM)  
 Collins (GA) Griffin (AR) Luján, Ben Ray  
 Collins (NY) Griffith (VA) (NM)  
 Conaway Grijalva Lynch  
 Connolly Grimm Maffei  
 Conyers Guthrie Maloney,  
 Cook Gutiérrez Carolyn  
 Cooper Hall Maloney, Sean  
 Costa Hanabusa Marchant  
 Cotton Hanna Marino  
 Courtney Harper Massie  
 Cramer Harris Matheson  
 Crawford Hartzler Matsui  
 Crenshaw Hastings (FL) McCarthy (CA)  
 Crowley Hastings (WA) McCaul

McClintock Posey  
 McCollum Price (GA)  
 McDermott Price (NC)  
 McGovern Quigley  
 McHenry Radel  
 McIntyre Rahall  
 McKeon Reed  
 McKinley Reichert  
 McMorris Ribble  
 Rodgers Rice (SC)  
 McNerney Richmond  
 Meadows Rigell  
 Meehan Roby  
 Meeks Roe (TN)  
 Meng Rogers (AL)  
 Messer Rogers (KY)  
 Mica Rogers (MI)  
 Michaud Rokita  
 Miller (FL) Rooney  
 Miller (MI) Ros-Lehtinen  
 Miller, George Ross  
 Moore Rothfus  
 Moran Roybal-Allard  
 Mullin Royce  
 Mulvaney Ruiz  
 Murphy (FL) Runyan  
 Murphy (PA) Ruppertsberger  
 Nadler Ryan (OH)  
 Napolitano Ryan (WI)  
 Neal Salmon  
 Negrete McLeod Sanchez, Linda  
 Neugebauer T.  
 Noem Sanford  
 Nolan Sarbanes  
 Nugent Scalise  
 Nunes Schakowsky  
 Nunnelee Schiff  
 O'Rourke Schneider  
 Olson Schock  
 Owens Schrader  
 Palazzo Schwartz  
 Pallone Schweikert  
 Pastor (AZ) Scott (VA)  
 Paulsen Scott, Austin  
 Payne Scott, David  
 Pearce Sensenbrenner  
 Pelosi Serrano  
 Perlmutter Sessions  
 Peters (CA) Sewell (AL)  
 Peters (MI) Shea-Porter  
 Petri Sherman  
 Pingree (ME) Shimkus  
 Pitts Shuster  
 Pocan Simpson  
 Poe (TX) Sinema  
 Polis Sires  
 Pompeo Slaughter

## NAYS—1

Enyart

## NOT VOTING—30

Bass Lummis Roskam  
 Cárdenas McCarthy (NY) Rush  
 DeGette Miller, Gary Sanchez, Loretta  
 Duncan (TN) Pascrell Smith (TX)  
 Hahn Perry Thompson (MS)  
 Herrera Beutler Peterson Tipton  
 Higgins Pittenger Vargas  
 Johnson, Sam Rangel Walz  
 Jones Renacci Yarmuth  
 Labrador Rohrabacher Young (FL)

□ 1113

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3095. An act to ensure that any new or revised requirement providing for the screening, testing, or treatment of individuals operating commercial motor vehicles for sleep disorders is adopted pursuant to a rule-making proceeding, and for other purposes.



The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1848. An act to ensure that the Federal Aviation Administration advances the safety of small airplanes, and the continued development of the general aviation industry, and for other purposes.

#### NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. GRAYSON. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, the BBC News, on October 1, 2013 in England, published the following: "For most of the world, a government shutdown is very bad news—the result of revolution, invasion or disaster. Even in the middle of its ongoing civil war, the Syrian government has continued to pay its bills and workers' wages. That leaders of one of the most powerful nations on earth willingly provoked a crisis that suspends public services and decreases economic growth is astonishing to many.";

Whereas, the state-run Xinhua news service, on October 2, 2013 in China, published the following: "With no political unity to redress its policy mistake, a dysfunctional Washington is now overspending the confidence in its leadership.";

Whereas, The News of Mexico, on September 25, 2013 in Mexico, published the following: "They squabble over the inconsequential accomplishment of a 10-week funding extension. It isn't serious, but it certainly isn't funny.";

Whereas, the Australian, on October 1, 2013 in Australia, published the following: "The irresponsible way in which Congress . . . played the politics of partisan petulance and obstruction . . . does them little credit. Neither does it say much for the budgetary processes in the world's largest economy.";

Whereas, the Frankfurter Allgemeine Zeitung, on October 2, 2013 in Germany, published the following: "The main actors in this dispute, which brings together many factors, both ideological and political, took a huge risk and, unhindered, proceeded to validate everyone who ever accused the political establishment in Washington of being rotten to the core . . . The public is left wondering how things could have been allowed to get to this point and why there is so much poison in the system.";

Whereas, the Süddeutsche Zeitung, on October 2, 2013 in Germany, published the following: "What has already been apparent in America for a few years now is the self-destruction of one of the world's oldest democracies. And the great tragedy here is that this work of destruction isn't being wrought by enemies of democracy, greedy lobbyists or sinister major party donors. America's democracy is being broken by the very people who are supposed to carry and preserve it . . . the politicians . . . At the moment, Washington is fighting over the budget and nobody knows if the country will still be solvent in three weeks . . . What is clear, though, is that America is already politically bankrupt";

Whereas, the Washington Post, on September 30, 2013, quoted Justice Malala, a political commentator in South Africa as say-

ing the following: "They tell us, 'You guys are not being fiscally responsible' . . . And now we see that they are running their country a little like a banana republic . . . there is a lot of sniggering going on.";

Whereas, the headline of the New York Daily News, the fourth most widely circulated daily newspaper in the United States, on October 1, 2013, read: "House of Turds", and the bylines stated: "D.C. cesspools shut down government" and "They get paid while nation suffers";

Whereas, these reports call into question the dignity of the House; and

Whereas, the resulting reduction in the public's perception of the House's dignity has culminated in a 7% Congressional approval rating in the most recent Economist/YouGov poll: Now, therefore, be it

*Resolved*, That it is the sense of the House—

(1) without seeking to effect a change in the rules or standing orders of the House or their interpretation; and

(2) without prescribing a special order of business for the House—

that a government shutdown is a mark upon the dignity of the House and that the House would be willing to pass a "clean" continuing appropriations resolution to end it.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Florida will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

#### PAY OUR MILITARY ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, when Congress was unable to reach agreement on a funding bill, the House acted immediately on the Pay Our Military Act. The bill passed the House on September 29, the Senate on September 30, and it was signed into law by the President that same day.

The Pay Our Military Act ensures that U.S. military personnel and active military Reservists will be paid and receive their allowances during this government shutdown.

Over the past week, the House put forward legislation to fund critical areas of government. We passed the Pay Our Guard and Reserve Act and the Honoring Our Promise to America's Veterans Act. Yesterday, we considered and passed the Nutrition Assistance for Low-Income Women and Children Act; and, today, we passed another bill to fund the government.

These measures should have received the support of every Member in this Chamber. They are bills that should have passed the Senate and made their way to the President's desk. The President and the Senate should back these bills just as they did the Pay Our Military Act. Let's end this stalemate and move forward with the people's business.

#### PUT FEDERAL EMPLOYEES BACK TO WORK

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. GENE GREEN of Texas. Mr. Speaker and Members, I want to wish a congratulations to our Republican majority and a thank you for bringing a bill to the floor that would guarantee the pay for the furloughed Federal employees. The essential employees who are already working will be paid from existing law, so now we pass it to the Senate where those furloughed employees will be able to be paid.

My question of the majority Republicans is: now that we're going to pay these furloughed employees, let's bring them back to work. Why would we not bring them back to work if we're paying for them?

I've heard of people being paid not to work, but I've never heard it from the Republican majority before that. I voted for it, and it passed unanimously out of the House, but let's bring those folks back to work. Let's reopen this government, and let's bring back those dedicated Federal employees so they don't have to stand down there and stop our veterans from going to the World War II Memorial.

They're the folks who are working on all of the things that make our country great, so let's bring them back to work. We can do that. We are going to pay them. Let's let them come back and do their jobs.

#### HAPPIEST BIRTHDAY TO YOU, MARGUERITE FREEMAN

(Mr. FRANKS of Arizona asked and was given permission to address the House for 1 minute.)

Mr. FRANKS of Arizona. Mr. Speaker, it is my precious privilege this morning to express a loving tribute to one Marguerite Freeman.

Mr. Speaker, Mrs. Freeman was my third and fourth grade teacher, and if I could be with her right now as she is surrounded with family and friends and well-wishers on her 103rd birthday, I would just look into her eyes and say:

Thank you, precious lady, for all that you have done for me in this life. Without your loving encouragement to me as a child, I may never have had the privilege to stand here in this place and speak on the floor of the United States Congress; and I was only one of hundreds of children whose hearts and minds you so deeply touched with your noble message of love and human dignity to the generations to come.

So, beloved Mrs. Freeman, only eternity will discover your magnificent contribution to humanity. Happiest birthday to you, gentle lady, and may God keep you forever.

That's what I would say, Mr. Speaker.

#### PAYING FEDERAL WORKERS NOT TO WORK

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, Federal workers, already under sustained attack from the Republican Shutdown Caucus, certainly deserve to have no further abuse, but the approval of this bill is surely one of the more bizarre moments in a truly bizarre Republican-controlled House.

These great conservative stewards of the taxpayers' dollars refuse to let our Federal workers work; and now, today, they approved legislation to pay them for not working. Getting nothing for your tax dollar. That's the new Republican-Tea Party concept of fiscal responsibility.

Of course, the Federal workers, even though they have paid leave now, are justifiably unhappy because of the uncertainty of not knowing from day to day whether they will be called to work and not knowing whether that paid leave will arrive in time to meet their bills at the end of the month.

Paying Federal workers not to work—a new level, truly, of absurdity in this politically manufactured government shutdown.

#### TEAR DOWN THAT WALL

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, just as Mr. DOGGETT has said as to the absurdity, I'm not sure if this is Joseph Heller or if it's Fellini.

The Tea Party Republicans came here because they were concerned about the debt. The debt, Mr. Speaker, was caused by Reagan and Bush. Look at the records. Reagan and Bush caused the debt. Now they've shut down their government like an arsonist sets a fire, and they're coming around, acting like they're firefighters who are trying to rescue the children who they didn't realize were in the building and who couldn't get help from the NIH for their cancer treatments and the veterans they're going to rescue who couldn't go to the memorials and the Federal workers who aren't getting paid.

It is like a Fellini movie.

There is apparently a wall between the Tea Party Republicans and the mainstream Republicans, who would like to move this country forward.

Mr. Speaker, tear down that wall.

#### WORDS TO WHICH WE CAN ASPIRE

(Mr. BURGESS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, what is going on in the House of Representatives right now actually is about the debt. You can look back 17 years when Speaker Gingrich was Speaker of this House.

What was gained by the Republican majority during that time?

If you just look at it from a purely political lens, actually, the Republican majority was reelected for the first time in 68 years after that last government slowdown, the last time being 1928.

This House passed welfare reform and passed welfare reform and passed welfare reform until President Clinton signed the bill. The largest capital gains tax reduction in the history of this country was passed after the last government slowdown, and the first overall reduction in taxes in 17 years occurred after the last government slowdown. Four consecutive balanced budgets came out of that activity. Probably the only balanced budgets in my lifetime occurred after Speaker Gingrich had the courage to do what he did 17 years ago.

Mr. Speaker, perhaps most telling, in the State of the Union Address that followed the government slowdown the last time, President Clinton stood in this House and announced that the era of Big Government is over.

Those are words we can aspire to.

□ 1130

#### ALTERNATIVE UNIVERSE

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, welcome to the alternative universe in the House of Representatives. We just voted, as we knew we would, to pay the furloughed workers when the shutdown ends, as we knew we would.

What started as a right-wing tantrum to defund ObamaCare, which failed, as it inevitably would, and then it became a demand to pull the rug out for another delay, we're now arguing about something. Negotiations? What?

Since we decided to pay everybody anyway, let's vote on the continuing resolution so we can at least get work in exchange for paying our employees and stop losing tens of millions of dollars every hour.

The Republicans now want to negotiate. I think that's terrific. We've been waiting 6 months for the House Republicans to appoint their conference committee so we can reconcile differences on the budget.

Let's vote on the continuing resolution. Let's appoint conference committees and get back to work.

#### GOVERNMENT SHUTDOWN

(Mr. BARTON asked and was given permission to address the House for 1 minute.)

Mr. BARTON. Mr. Speaker, we're seeing an interesting dialogue today in the 1-minutes.

Last week, House Republicans brought to the floor a bill before the shutdown to pay our military. Both sides totally supported that, the Senate accepted it, and the President signed the bill. So that's law.

Early this week, after the shutdown occurred, House Republicans brought to the floor to fund the Veterans Administration, to fund National Institutes of Health research, to fund and open our national parks. My friends on the other side of the aisle—most of them, not all—voted "no" against that and called it a gimmick.

Today we brought a bill to the floor, the House Republicans, once the shutdown is over, to pay furloughed workers. Again, on that one today, both sides embraced it and said it's a good thing. Now my friends on the Democratic side are getting up and arguing against themselves.

We want to open the government. We want to end this. But we want to keep as much of the government functioning while we do it.

#### GOVERNMENT SHUTDOWN

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Mr. Speaker, through the looking glass, "curiouser and curiouser," said Alice. I'm confused. It started out as: We're going to shut down the government until we repeal ObamaCare. Then it was: We'll shut down the government until we delay ObamaCare or the individual mandate or repeal the device tax, or something. Now, I just heard the gentleman from Texas say we're shutting down the government because we're concerned about the deficit. What is it? Which is it?

Come on, you're concerned about the deficit. We have a process. It's called the annual budget process in appropriations. It's a law. We should follow the law, which means temporarily continue the government. We don't shut down the government to deal with our differences in how much money we want to spend each year for what agencies.

This is getting absurd. We're now going to pay Federal employees to not work. Let's just declare them all "essential," make them come back to work, and then we'll pay them later. Maybe in the Republican world that makes sense.

No. Let's just end the shutdown, bring them all back to work, give them their regular pay now, let them have their leave, and move forward with negotiations over the budget.

#### WHAC-A-MOLE

The SPEAKER pro tempore (Mr. YOH). Under the Speaker's announced policy of January 3, 2013, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 60 minutes as the designee of the minority leader.

Mr. DEFAZIO. Mr. Speaker, one minor point. We say "Oregon." And since the Ducks are going to win the national championship this year, we want to make sure everybody knows how to say it properly.

I rise today to discuss something that happened earlier in the week. The Republicans are playing Whac-A-Mole. Every time something pops up in the national press that is really embarrassing about this shutdown, they whack and hit it with a phony resolution—they're going to fix the problem—that they know is going nowhere in the Senate and not going to the President.

Earlier this week, after the extraordinary embarrassment of the veterans at the World War II memorial, they were hearing from a lot of small business people outside of Yosemite and other parks saying open the parks. I was just down there for an Honor Flight this morning.

They still don't have bathrooms, by the way.

So they took one little tiny slice of the Department of the Interior budget and they funded it, that which is most iconic, that which is most visible in the press. Guess what? They forgot everything else that goes on within the Department of the Interior.

I'll start locally, and we'll build back to the national issue here.

The William L. Finley National Wildlife Refuge in the Willamette Valley opened the very popular firearms hunting season for black-tailed deer late last month, in September, but this week they are having to turn away hunters because of the House government shutdown.

The Bandon Marsh National Wildlife Refuge, also in my district, is a great spot for waterfowl hunting. Right now, the only thing it is open to are swarms of mosquitos. My colleague from California will talk in some detail about the Klamath Refuge. It's closed. The beginning of hunting season, closed.

The Fish and Wildlife Service in Oregon recently proposed that three other Oregon refuges—Baskett Slough, Nestucca Bay, and Siletz Bay—be open to hunting. Guess what. They can't continue the process to open those areas of hunting because of the government shutdown.

According to the Oregon Department of Fish and Wildlife, nearly 300,000 hunters spend more than \$135 million a year. By shutting down the Federal Government, restricting hunting access on public lands, House Republicans have turned their backs on sportsmen and small businesses not just in Oregon, but across the country.

In addition to hunting, the refuges provide for anglers, hikers, kayakers, birdwatchers, and other outdoor enthusiasts, all who spend money in the local communities around these refuges. They're not coming. They're not spending the money in the local businesses all because of the phony shutdown of the government. Well, it's a

real shutdown, but a stupid shutdown of the government by our Republican majority.

National wildlife refuges generate \$1.7 billion in sales for nearby communities, and many of them are very dependent upon that for their survival. And every day, small businesses across the country that relate to hunting and fishing and other outdoor recreational activities, \$4.5 million a day is lost in sales to their small businesses. This has got to end.

There are other very serious issues, which a number of my other colleagues will talk about here this morning, as relates to commercial fishing, commercial crabbing, and a number of other critical activities that are fulfilled by the Federal Government under the Department of the Interior, which were not restored or phony restored by the Republicans.

I am now happy to yield to my colleague from California, MIKE THOMPSON.

Mr. THOMPSON of California. I thank my friend for yielding and also for bringing this issue to the attention of the American people, and, by the way, for the great work that you do as our ranking member on the Natural Resources Committee.

I think Mr. DEFAZIO made a great explanation, a very instructive explanation about this Whac-A-Mole game that we're playing. The veterans memorial is closed, so we do a bill to open that up, a bill that we know isn't going anywhere. An issue comes about because of the lack of cancer treatment that some of our constituents need and must have, so we do a quick bill, Whac-A-Mole, a quick Band-Aid. The Capitol Police demonstrate that they put their life on the line every day, and it became very apparent this week when we had the very unfortunate situation over in the Senate. What do we do? We come out now and we say we're going to pass a bill to pay for Federal employees after this fabricated government shutdown is finished.

Those are all very serious issues, and there are a lot of other serious issues in front of us. What may pale in comparison is the issue of the wildlife refuges. People may say it's just a sport, it's recreation. To some, that is very important.

Just a week ago, ironically, our Nation celebrated National Hunting and Fishing Day, but today sportsmen and sportswomen, who are supposed to be out enjoying the opening day of duck season in many parts of my home State of California, are not because of this reckless, manufactured government shutdown that has shut down hunting opportunities throughout the entire national wildlife refuge system.

This shutdown is having a devastating impact on local economies that depend upon hunters and anglers throughout our entire country. There are 240 congressional districts that are home to national wildlife refuges. That's all the way across the country.

This is an issue today and will be until we do away with this shutdown and open the government back up.

Every State has at least one refuge which allows hunting. Today, hunters are supposed to be lined up at places like the Tule Lake National Wildlife Refuge, the Lower Klamath National Wildlife Refuge, and the Kern National Wildlife Refuge in my State of California. But because of this shutdown, all have been cancelled.

Some duck hunters will be able to pursue their opening day on nonrefuge land. But without hunting pressure on the refuges, their hunting is going to be shut down, closed, or at least truncated to some extent. In addition—and this is a very important issue that I think everyone needs to pay attention to—most of the access for California's disabled waterfowl hunters is found on our State's national wildlife refuge system. With the refuge closed, that means that disabled hunters, including many wounded warriors, will simply have no option for waterfowling. And in 2 weeks, all of the waterfowl hunting areas in California will be open. If we don't end this shutdown, millions of sportsmen and sportswomen will continue to be shut out from their refuges.

It's not just the hunters and the anglers that are affected by the closure of these wildlife refuges. Hunting in California is big business. In 2012 alone, hunters and anglers generated more than \$1 billion in retail sales, and they created and they sustained at least 20,000 jobs in California alone.

I've heard from folks who own businesses around these refuges—restaurants, gas stations, a family-owned hotel and motel—that rely on the business generated by hunters. Some local lodges and motels have seen every one of their reservations for this weekend and the following week to be canceled. They were supposed to be fully booked. Next week is supposed to be their busiest week of the year. Now, because of this fabricated shutdown, they'll have empty beds.

At Kirbs Outlet, a sporting goods store in Tule Lake, Don Kirby, the owner, told me that he was expecting to have a big season for sales this year. Instead, he anticipates losing about \$6,000 every day that the refuges are closed, and he may have to take out a loan just to keep his small business open.

Hunting guides in the Klamath Basin region are losing \$800 to \$1,000 every day that the refuge remains closed. Just over the Oregon border, the Wild Goose Motel in Merrill could have booked up all of their hotel rooms several times over because the demand is so high for this weekend and next week. According to Fran Lynn, their manager, out of their 13 rooms and 2 cabins, they have one room that will be occupied. These businesses that rely on the next few weeks of hunting season to keep them in business for the rest of the year are in a hurt, and they can't make up for the loss. This first week is

their big week each year, and it will be lost forever.

California hunters want and need access to our national refuges. It's time for the House majority to put the interests of our Nation ahead of the interests of the Tea Party and end this needless and reckless government shutdown, which is having an impact on millions of sportsmen and sportswomen around our country, along with Federal employees who are being furloughed, folks waiting on veterans benefits, folks waiting for cancer research and treatment, and the closure of our national parks.

This manufactured shutdown is costing us \$12 million an hour. Please, bring back the clean CR to the floor for a vote so we can open our government. All it takes is one vote. Put it on the floor, and Democrats and Republicans will provide a strong bipartisan vote to pass it, to open our government, to get people back to work.

□ 1145

Mr. DEFAZIO. I thank the gentleman.

My colleague from California, MIKE THOMPSON, is the two-time chairman of the Congressional Sportsmen's Caucus. And he was recently inducted into the California Waterfowler's Hall of Fame. So he obviously speaks with great authority on these issues and the impact of this unnecessary shutdown on hunters and related businesses in northern California and southern Oregon.

With that, I yield to my colleague from Washington State (Ms. DELBENE).

Ms. DELBENE. Many of my colleagues today have been highlighting the impacts on sportsmen and -women who are unable to access our National Wildlife Refuges and for other public lands. As they've made clear today, this is a serious problem that's costing our country millions of dollars and is denying access to those who would otherwise be enjoying the great outdoors.

In my home State of Washington, there are 11 wildlife refuges where the public can hunt or fish. All of those refuges are closed because of the shutdown.

But it's not only recreational users that are being impacted. Commercial fishermen in my State will be seriously hurt in the coming weeks if this shutdown does not end. Right now, fishermen from Washington State are in Dutch Harbor, Alaska, getting ready for the Alaska king crab season that's supposed to start in less than a couple weeks. These are the same fishermen and boats that you see on the reality show "The Deadliest Catch."

But because of the shutdown, they may not get to start fishing this season. That's because the staff at the National Marine Fisheries Service have largely been furloughed. As a result, no one is available to issue the rules and individual quotas for boats and processors that will permit our commercial fishers to work.

The Bering Sea crab fishery is worth hundreds of millions of dollars to fish-

ermen from Alaska and Washington. And now, because of inaction by Congress, the fishing fleet, the captains, their crews, and the processors stand to lose millions. So instead of a fiscal cliff, right now we're facing a fishing cliff in the Bering Sea unless Congress acts before the season is scheduled to start on October 15.

If the season doesn't start on time, the cost to industry is significant. A delay could mean they'll miss out exporting to the all-important Asian holiday market when demand is at its highest and most lucrative. Missing the Asian market when it's in peak demand means prices significantly decrease by as much as 20 to 30 percent, which means millions of dollars in lost value. This would be a crippling loss to these businesses.

In addition to the potential loss of millions of dollars caused by market disruptions, the effects of the shutdown will be felt in other ways. Fishing boats typically incur costs of roughly \$1,000 per day while sitting tied to the docks. Things like moorage fees, fuel, and food to feed the crew all cost the boat owners money.

A delayed crab season means processors will have empty facilities and an idle labor force that still has to be housed and fed. So processors will be contending with costs for housing, fuel, electricity, food for laborers, and more while not bringing in any desperately needed revenue.

Every day this shutdown continues, we're hurting the fishing industry. Without knowing when the season will start, these businesses have no certainty or visibility to plan. If we delay the start of the crabbing season by even a few days, we risk costing the entire industry millions of dollars in lost market value.

This is unacceptable. Our fishermen deserve better than this. Their families deserve better than this. The processors, suppliers, and other businesses that rely on a vibrant Alaskan king crab season all deserve better than this.

It's clear that this shutdown is hurting people, businesses, and our economy. It's time to end it and get to work on passing a long-term budget that will grow our economy, reduce our deficit, and responsibly create jobs.

I urge all of my colleagues to work together and do the job the American people sent us here to do. We must end the brinkmanship and do the responsible thing and reopen the government.

Mr. DEFAZIO. I want to thank the gentlewoman for her statements and her concern for the Washington crab fleet and others who have been impacted by this manufactured crisis.

I find it particularly bizarre now that this all started with the radical Tea Party minority on the Republican side. And I wonder what their supporters and constituents, who seem to hate all things government, are thinking about the fact that we are now paying Federal employees to stay home and not

provide critical services, like opening the crabbing season in the State of Alaska.

I would also note that the west coast groundfish trawl surveys have been suspended. The five ships that were out there doing the survey were called back to port. All of the NOAA employees were sent home, but they will be paid later, some time. But they aren't doing the critical work we need for those commercial fisheries.

With that, I yield to my colleague from the State of California (Mr. GARAMENDI).

Mr. GARAMENDI. I thank the gentleman from Oregon (Mr. DEFAZIO) very much. And thank you for pointing out the foolishness, the nonsense, and even the hypocrisy of what's going on here.

My colleague MIKE THOMPSON, with whom I share a good portion of northern California, very eloquently pointed out a real problem. When the duck hunters can't hunt, we've got a problem. Opening day, how many days to opening day? Zero. It was supposed to open today. Mr. THOMPSON pointed out that the refuges are closed up in the northern part of the State of California.

How about elk hunters? Elk hunters out there, opening day, today. The refuges are closed, and a good portion of the Federal forests also are unavailable.

Let's see, pronghorn hunting in northern California and southern Oregon was supposed to start today. Not on the refuges. They're closed.

Well, if you are a fisherman and you want to fish in the refuges, don't go today. They're closed. And, of course, the hunters. I think I'll just leave this one up here. These are folks that really get agitated. They have every reason to be agitated. This is nonsense.

I really wanted to take a few moments to explain to the American public what is actually happening here. We came up on this shutdown presumably because we couldn't agree to a budget. The House of Representatives passed a budget in March. The Senate passed one in late March, early April. The Senate asked for a conference committee. They appointed conferees. And Speaker BOEHNER, until 2 days ago, refused to appoint conferees. It was only after the government shut down that he relented and appointed conferees, after the blowup.

And so you want to go to conference? Why didn't you go to conference in April, May, June, July, August, even early September? Why, Mr. Speaker, didn't you appoint conferees when we had the time to negotiate? Why did you wait until after hunters couldn't go to the refuges? I don't understand.

Oh, but you have a solution. The Speaker has a solution. We will open up individual parts of the government based upon what the gentleman from Oregon (Mr. DEFAZIO) calls "the whack-a-mole theory of government." When something really embarrassing

happens, we'll find a solution, says the Speaker. Wow, how brilliant.

And so what did we do? Oh, we'll open some of the national monuments—not all of them. We're not going to open the fish and wildlife refuges so that the hunters can hunt. But we'll open the World War II Memorial, and maybe we'll open up some of the Smithsonian facilities here in Washington.

Oh, but there's a problem. That's got to go through the Senate. And that's got to have the Presidential signature. And that's not going to happen.

So what's going on here? What's happening? The American public says, What are you guys doing? Well, we're not doing our job. Mr. Speaker, you're not letting us do our job.

We actually have a solution. It's called a continuing resolution, a CR. And that's not a medical procedure. A continuing resolution is actually a process that's been used over 110 times since the first day of President Clinton's—yes, I said that—President Clinton, back in 1993, 110 times we've used continuing resolutions to get passed these unnegotiable periods.

But this time, they added a little deal to it. There will be a continuing resolution when you repeal the Affordable Care Act, when you delay it, when you repeal part of it, when you change it. That hadn't been done in the past. But here we are.

So where are we now with the whack-a-mole theory?

Do you know what these are? Does the American public know what these are? These are 11 of the appropriation bills. Each one is very lengthy. There are more than 500 to 1,000 different items in each one of the appropriation bills, funding individual parts of government, one item at a time.

It's a big government. It's a multi-trillion-dollar government. And it does a lot of good things, like, funds refuges so that people can go hunting, so that people can fish, so that there are national parks, camping grounds. At the national forests all across this Nation, camping grounds are shut down. Nobody's camping there this weekend.

These are the appropriation bills. Probably 5,000 or more individual items. In what has got to be one of the most foolish, nonsensical, and stupid actions, we're going to fund the government one item at a time. Yes. Hello, America. This is the Republican solution to the shutdown. We're going to fund the American Government one item at a time.

Let's see, this is day four of the shutdown. Okay. And to date, we have funded four specific parts of the American Government—oh, excuse me. I'm wrong. The House of Representatives has voted to fund four of the thousands of different parts of the American Government, four of them. Let me see, at this rate, it will probably be 2020 before the American Government is up and operating. How stupid is that when we have a solution available to us, Mr. Speaker.

Mr. Speaker, listen. We have a solution available to us. It's called a continuing resolution. It's passed the Senate. It doesn't have all of the things you may want—like terminating the Affordable Care Act, which is, in effect, modifying it, defunding it, and God knows what else you may want. It's just what is known as a clean continuing resolution that funds all of government—not one item at a time, but all of government. And at what level? At the same level that it has been funded for the last 12 months. Not more funding, not less funding, but a whole lot less funding than what I think is necessary. But nonetheless, it continues the funding of government at the same level as the last 12 months for the next month and a half. And then we go through all this again with another manufactured crisis.

I wonder what the hunters are thinking of us. Mr. Speaker, these men and women want to go hunting. These men and women want to go fishing, camping. They want to go to the national parks. They want to recreate. They want America operating.

Mr. Speaker, please, please end this foolishness. Ronald Reagan went to Berlin, and he said, "Mr. Gorbachev, tear down this wall." Mr. Speaker, open up this government. Open up this government. You have the power. All you need to do is to bring to the floor a continuing resolution to fund the government at the very same level that it's been funded for the last 12 months, continue on for another 6 weeks so that we can establish what apparently you want, a conference committee, and negotiate, as we should do all the time, negotiate a resolution to this manufactured, unnecessary, stupid, dysfunctional crisis.

Mr. Speaker, open up this government.

□ 1200

Mr. DEFAZIO. I thank the gentleman from California. What he pointed out is critical. There is a time sensitivity to this. My other colleague from California pointed that out, too. Many small businesses are dependent on these critical weeks of opening season for their businesses. It is essentially like Christmas for retailers; the opening of hunting season for waterfowl and other species is for people who provide lodging and other services, guiding in those areas, and you are keeping them from working and you're depriving them of their livelihoods.

In Nevada, duck season opens October 12; swan, October 12; deer, October 10; elk, October 10. That's Nevada. That date is pretty soon.

Arizona: turkey, October 4. Well, we're there. Big horn sheep, October 4. On any of these Federal wildlife refuges, hunting will not be allowed.

But the bizarre thing is that some Republicans are saying this is about the deficit. So they are going to pay Federal employees to not work to make a point about the deficit. They

are going to cause businesses to lose money on which they won't pay taxes because it is about the deficit; or, well, then there are others of them who say it's about ObamaCare. I wish the Republican majority could make up their mind.

But one thing is plain and clear—and I have been here 27 years—I believe in 27 years—I may be off by one—I believe two times out of 27 years, under both Democrats and Republicans, have we gotten by all of the appropriations bills passed by the beginning of the fiscal year on October 1. Two times in 27 years. But we didn't shut down the government every time that happened. We adopted a very simple continuing resolution. We'd say let's continue to fund government—not send people home and continue to pay them. Let's fund government and have them work, the same cost, and we'll do it for 4 weeks, 6 weeks, to force people to the bargaining table. Sometimes it was done at the prior year's level, sometimes slightly enhanced, sometimes slightly reduced. We have offered to do that. We have brought that up numerous times here. We're not allowed to bring it up explicitly but on votes on rules, and the Republicans won't allow a simple majority vote on temporary funding of government.

They allowed a vote today, which was unanimous, to pay people not to work, but they won't allow a vote on paying people to work over a short period of time.

I yield to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank my friend for yielding.

One of the previous speakers asked a rhetorical question: How stupid is all this. I would like to kind of quantify that because you can actually put numbers on it.

In my home State of California, I'll tell you how stupid it is. Hunters, who aren't going to be able to hunt this week, they're responsible for about \$400,000 in revenue. Retail sales from hunting is \$1 billion. Salaries and wages, \$760 million. Jobs, \$21,000. State and local taxes, about \$155 million. Federal taxes, about \$175 million. That's how stupid this is.

And if you want more proof, look at the impact on the private sector. For those of you who don't like the government, for those of you who believe that we need to close down the government because everything can be done and should be done by the private sector, you're killing private sector businesses right now.

We talked about the impact on folks who are going to have to take out a loan to keep their sporting goods store open during the busiest time of the year. We talked about folks who have motels and lodges who can't rent a room at a time that would otherwise be the most productive time in their business cycle. Those are private sector business owners, and they employ private sector employees who are going to be sent home.

Unlike the bill that you just brought to the floor that was passed, those private sector employees who were sent home will not be sent home with full pay and benefits; they get paid when they work. The idea, and Mr. DEFAZIO mentioned it a couple of times, that we furlough Federal workers and then pay them for not doing a job, while at the same time we're closing down the facilities that they are employed to keep open and to manage, it is just baffling to me.

And look at the store owners, look at the private sector businesses that are being hammered by this manufactured closure of the Federal Government. Gas station owners, all of the people we have talked about, if they are bird watchers, fishers, hunters, they are driving to refuges, and they put gas in their gas tank. Those gas sales are gone. They buy groceries. They buy groceries to eat in the cabins they would otherwise rent and at the camp sites that they would otherwise inhabit. Those sales are gone.

Sporting goods. They buy all of the stuff that they use to hunt, fish, or bird watch. Not only are those sales gone, but for all of us who depend upon the money that's raised by the Dingell-Johnson provision, the money, the assessment that sportsmen and -women put on their own purchases that go into funding all of the wildlife refuges and all of the places that are near and dear to sportsmen and -women, that money goes away. All of the motels that would otherwise be full, that money goes away. The sales taxes go away. These are, in most parts, rural businesses that run in rural areas. So that's different than the businesses in the city. They don't have other folks coming in and spending in their area.

This is, as the ranking member stated, their Christmas holiday. This is when folks come to their area to spend their money to recreate, to hunt, and to fish. They depend upon this. So we have created a system, it's set up, manufactured, fabricated, it doesn't have to be this way, to penalize these folks who do nothing but work hard and provide opportunities for folks to recreate. In addition to that, you've heard the impact it is having on the fisheries, the commercial fisheries and the sports fisheries.

It is just absolutely outrageous that we are allowing this to happen when with one vote on the compromise bill from the Senate—and I say compromise because not only is it a clean CR that we have been hearing about, but, remember, the compromise was to bring that down to the lower funding level, a funding level that a lot of our folks on our side of the aisle have a real hard time with, and it has been dropped down to that rate. It could be brought to the floor and voted out. These businesses will be able to do business. Employees will be able to come back to work, both the Federal employees as well as the State employees. And let me remind you of the

wounded warriors who aren't going to be able to recreate this weekend and this week because of this manufactured close-down of the Federal Government. Let's bring people back to work. Let's get going on this.

Mr. BARTON. Will the gentleman yield?

Mr. DEFAZIO. It depends upon the topic. We're talking about locking hunters and fishers out of wildlife refuges and the impact on small communities across America, and the fact that it's essentially the Christmas season for many of these lodges, many of these local businesses that have been shut down. Certainly the Grinch has stole Christmas, and I'm not sure what the gentleman wishes to address. I will yield very briefly, but if we're going to go off topic or get on to something else, then I will have to reclaim my time.

I have known the gentleman for years, and so I am happy to yield.

Mr. BARTON. Well, I thank the gentleman from Oregon. I am not going to be demagogic. I certainly respect the comments of the gentleman from Oregon and the gentleman from California. I was actually going to pay the gentleman from California a compliment.

I just wanted the country to know these are serious issues and there are differences of opinion based on philosophy, but there are not personality conflicts. The gentleman from California was gracious enough several weeks ago to invite me into his home for a meal. He makes a delicious grilled chicken and is quite the chef, and I just wanted to thank him. And at the appropriate time after the gentleman from Oregon and the gentleman from California have made their points, if they would like to enter into a little bit of just an honest policy debate, I would be happy to do that. But I know it is the gentleman from Oregon's time, and I don't want to take away from that.

Mr. DEFAZIO. I thank the gentleman for those very tempered remarks and the kind remarks about the gentleman from California.

I would like to talk about a couple of other impacts. Some are in the Interior budget; some are in another budget we haven't touched yet. MIKE was talking very eloquently about the fact that these impacts are falling most on rural residents and on rural small businesses, areas that are for the most part pretty darned depressed in this country. A lot of my rural areas are well into double-digit unemployment.

I was talking to the chief of the Forest Service—granted, a different budget, one that hasn't gotten on the Republican radar screen yet, although I was talking to a Republican leader this morning who said they may yet do whack-a-mole on this one to try and fix it, and that is that the chief of the Forest Service has an obligation when timber is sold to a private party to have Forest Service employees monitor those sales. He has not found a way to

declare those employees as essential and, as of Monday, is going to end somewhere between 400 and 500 active timber sales, bumping up against the winter season where many people won't be able to operate, depending on where the sale is, and incurring obviously penalties on the Federal Government because he does not have the staff to go out and monitor those sales.

I don't yet know about the Bureau of Land Management timber sales. They are a fairly unique thing. They happen on the statutorily unique lands of the Oregon and California lands. In Oregon, we have been in touch with the BLM, and we don't yet have an answer about how they're going to handle it.

Much of the restoration work from recent fires cannot be considered emergency; some of it can, but most can't. That work is not ongoing. Certainly any responsible timber salvage that might happen is not even being considered, and we're losing critical time there where those activities might be conducted.

And this morning, we did get the World War II Memorial reopened, only for honor flight and World War II veterans, and maybe other veterans. I'm not sure exactly the categories that were established. There were two rangers there this morning, and I encountered a problem. I was there to greet a large contingent from Oregon, wonderful people who put their lives on the line, but we are looking at a group here who are fairly elderly, and the adjacent bathrooms are not open. I went and asked the rangers if they could give me the key and they said, we don't have the key; that's maintenance. So we placed a call to the Park Service looking for whoever is the highest ranking person not being paid to stay home, and we got a fellow in charge of at least the World War II Memorial and some other grounds, and he said, I'm prohibited from doing that. I don't have that authority.

I've now called the White House to ask them. I mean, come on, restrooms for very elderly men and women who put their lives on the line, saved the world from the horrors of World War II, and we can't open bathroom facilities. I will go down and volunteer to refill the toilet paper rolls and clean up at night, you know, if we do that. I think other people I know would also do that.

So we've just got to end this. I mean, it became so bizarre today that Congress voted unanimously to pay a majority of the Federal workforce to stay home and not provide public services, to make what point. Let's just go ahead with a continuing resolution that doesn't change anything. We can adopt the lower levels that the Republicans have advocated for. Why can't we do that for 4 or 6 weeks? Open up the refuges so business can flow again to these areas because these hunting seasons are ephemeral, as are these timber sales.

There's another impact, and that is the Student Conservation Association



of the Interior Department has been shut down. So, again, hundreds of interns were sent home who were providing public services.

And then also in the other budget, agriculture, the job corps has been shut down. Thousands of young, at-risk people have been sent home. I don't know how many of my colleagues have ever gone to a job corps. It is the most inspiring thing. These kids are learning skills. These kids are high at risk. Many of these kids, young people, have been in trouble.

□ 1215

They're getting skills and they're getting jobs. They want to be there. They're working hard. They have been sent home. Some of them don't have a home to go to.

With that, I yield to my colleague from California.

Mr. THOMPSON of California. I thank the gentleman for yielding. And I thank my friend from Texas for the compliment. You're always welcome in my home. I would suggest if we did more of that, we might get a little bit more cooperation on things that are important to the country.

Mr. DEFAZIO, I just wanted to comment on the issue you raised in regard to the World War II Memorial and the veterans who come out to get a glimpse of that, many of whom have never seen it before, some of whom have never been to Washington before, but they did in fact serve our country admirably, bravely, and heroically. They won World War II. As a combat veteran myself, I can tell you that I still get goose bumps when I hear about, and sometimes even talk about, what has become the Greatest Generation.

I think it's important for all of us to note that they're referred to as the Greatest Generation for a couple of reasons. One, and most obviously, they did a heroic job when they won World War II. There's no question about that. It was just an unbelievable feat. And the sacrifices they made were horrendous and something that we will all appreciate forever. And they won that war.

But they're also referred to as the Greatest Generation because, after winning that war, they came home to the greatest Nation in the world. They built this great Nation. And they built this great Nation for everyone, not for just the ones that they liked or just the programs that they liked.

We can stipulate that there are programs in the Federal Government that all of us may not think are the number one programs. There are programs in the Federal Government we all would like to see changes to. But the fact of the matter is, as our colleague from California pointed out, if you start passing them program by program, we've seen what's happened. Day five of the shut down and we've passed four programs—and only partially. It is absolutely ludicrous to think that we can do this.

We need to remember and honor that Greatest Generation, and we need to bring this budget that funds all of government—a government for all Americans, not just the Americans who are affected by the headlines today, not just the Americans who want to visit a memorial that's closed and we hear about it in the paper, not just an America who needs a medical procedure but that entity is closed so we're going to fund that one in the eleventh hour.

We need to fund government. We need to open government and get it back to work so we can be the greatest Nation. And we should do that. We should do it quickly.

I've said this a couple of times. This is a manufactured crisis. And nobody we represent at home or in anybody's district believes that we should operate in chaos, and that's exactly what we're doing right now. Talk to any of your business owners back home. They don't want to operate in chaos. Go to your universities, go to your small businesses, big businesses, schools. Nobody wants to operate in chaos.

We want to minimize chaos. The trains need to leave the station on time, as they say. The way to do that is to bring this continuing resolution to the floor for one vote, we open up government, and then we can get down to negotiating any changes that we might have.

You were successful in your plan. Eighty Members on the other side of the aisle signed a letter to my friend, Speaker JOHN BOEHNER, to shut down the government. You were successful. Now let's open it back up. Let's bring these Federal employees back to work. And I'll repeat what the ranking member said. Federal employees that have been furloughed, they're home. They're not working. They're not keeping the World War II Memorial open. They're not keeping the wildlife refuges open. They're not at their job, yet we are paying them, according to the bill that the majority just brought to the floor and that was passed.

It's silly. It's ridiculous. This whole thing has gone on too long. Bring the CR to the floor. Let's get it voted on. It'll get strong bipartisan support. And let's open the government and then get down to the work that we were sent here to do.

Mr. DEFAZIO. I would like to correct one thing the gentleman said. As I understand it, we are not paying them. We will pay them. For working today, they will get a hamburger on Tuesday, sometime, maybe, perhaps.

For a lot of people, that's a hardship. A lot of Federal workers are of modest means. I would point to our Capitol Hill police here. I've had conversations with a number of them. Leaves are canceled. Some of them have had plans for a very long period of time. They can't get sick. They are not being paid. They will be paid. They'll get a hamburger on Tuesday, maybe, sometime, depending on how long this whole thing drags on.

This has risen to the point of absurdity. It started out to stop ObamaCare from going into effect on October 1, and it went into effect. It then became chipping away at ObamaCare in ways they knew the President would never sign a bill to do.

But I heard just earlier today from a gentleman from Texas saying this is all about the debt and deficit. If it's all about the debt and deficit, this is pretty easy. Let's bring up the continuing resolution that would actually reduce spending from current levels, continue government for 6 weeks while we sit down and negotiate how we're going to deal with longer-term structural problems in our economy, dealing meaningfully with our debt and deficit. That seems pretty darn simple to me. It seems we're pretty close to agreement there. But, unfortunately, I think there's 30 or 40 Republicans whose agenda is still to stop or repeal ObamaCare.

So I believe the gentleman who spoke today was probably speaking out of school and not speaking for them. But what he said, and I believe a majority of Republicans want to do, could get Democrats to agree to in a minute. Bring up the continuing resolution. We're not very happy with the further reduction in spending levels across the board—it's a dumb way to cut—but we'll accept it for 6 weeks while we work out a longer-term deal.

With that, I yield back the balance of my time.

#### THE REST OF THE STORY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. BARTON) is recognized for 60 minutes as the designee of the majority leader.

Mr. BARTON. Mr. Speaker, for the last hour, the minority in the House, the Democrat Party, has had the right to speak to the American people in their leadership Special Hour. I think the gentleman from Oregon and the gentleman from California did a good job of presenting the side of the story as they viewed it.

Having said that, Mr. Speaker, the late Paul Harvey had a radio program for many, many years that many of us listened to, and in that radio program he would tell us "The Rest of the Story."

Well, Mr. Speaker, for the next hour, those of us on the majority side, the Republican side—most of us from Texas, although we're going to have some friends from Michigan and perhaps from Florida, too—are going to tell you the other side of the story, the rest of the story. And let's start by discussing this continuing mantra from the minority side that we ought to just bring up the clean continuing resolution, or CR, from the other body, the Senate, and life would be perfect.

Well, Mr. Speaker, there's one tiny, small problem with that. And that is,



Mr. Speaker, that that continuing resolution funds the discretionary part of something that is legally called the Affordable Care Act, but most people in the United States are now calling it ObamaCare.

Mr. Speaker, ObamaCare is a huge new entitlement. It's not just another Federal program. It changes, fundamentally, the way we practice medicine in the United States of America. It changes, fundamentally, the rights of Americans.

Mr. Speaker, ObamaCare mandates—forces—every American to have health insurance, whether they want it or whether they need it. It's a huge new right taken away, a freedom. Heretofore, we've said that people had the right to choose whether they wanted health insurance or not. And now we're going to tell them, at the Federal level, they to have it. That is not a trivial right to take away from the American people.

Mr. Speaker, the Affordable Care Act, ObamaCare, mandates that every employer that has at least 50 employees must provide health insurance. Heretofore, health insurance had been considered a fringe benefit. Some employers provided it, some employers did not. Now, according to the Affordable Care Act, or ObamaCare, you have to provide health insurance.

What that's done, Mr. Speaker, is caused many small businesses to reduce their workforce, to change their work hours. Many employees that were full-time, 40-hour employees, have become 20- or less than 30-hour part-time employees. Again, a huge change in the way Americans have conducted their business.

Mr. Speaker, there are many mandates in the Affordable Care Act, or ObamaCare, that relate to how you practice medicine. Many health care practitioners have told me in my district that they're not going to practice. They're going to retire. They're not going to put up with all the mandates. They're not going to put up with all of the paperwork. Again, something that is fundamentally changing the United States of America.

Mr. Speaker, in the Affordable Care Act, or ObamaCare, there are all kinds of mandates on what has to be included in insurance, how the insurance companies have to provide it, what premiums they can charge. Because of this, Mr. Speaker, many insurance companies have raised their premiums. Many insurance companies have changed their policies. Again, a fundamental change.

So, Mr. Speaker, when our friends in the minority on the other side say, Just bring up a clean CR and we'll vote for it, they don't point out that that clean CR includes funding for ObamaCare. It is, again, a fundamental change, Mr. Speaker. Most of us on the Republican side, the majority side, don't want that. We want the freedom to choose.

I would ask my friends on the minority side, if ObamaCare is so great, why

does it have to be mandatory? Let's make it voluntary.

Republicans happen to support many of the things in it. We support coverage for preexisting conditions. We support allowing young adults to stay on their parents' life insurance until they reach the age of 26. We support the concept of the public exchanges. In the Republican alternative, when ObamaCare was passed, we had something called "co-ops." Not exactly like these health exchanges, but certainly similar.

So, again, if this act is so good and so great and everybody loves it, let's make it voluntary. How about making it voluntary for a year and just let the people choose? If these health exchanges are great, people are going to flock to them. If all of these mandates are really worthwhile, make them voluntary based on free choice and the market, and most of those will be accepted and implemented. So that might be an alternative at some point in time to consider. Take all the mandates away, leave the structure of the law, and let the American people choose whether they wish to participate.

Mr. Speaker, there is another side to this story. In the next 50 or 55 minutes, the Texas delegation on the Republican side, with some help from friends in other States, are going to tell you the other side of the story.

With that, I would like to yield to Congressman WEBER from Friendswood, Texas.

□ 1230

Mr. WEBER of Texas. I thank the gentleman.

You know, it's interesting. We see that in 2010, the other side of the aisle—the Ds—had no problem passing this humongous takeover of health care. Funny, they had no problem that the Republicans were against it; they had no problem that the majority of Americans were against it; and, Mr. Speaker, they had no problem that the majority of the business community was against it. They had no problem that there wasn't any bipartisanship involved, and now they have no problem blaming others, as a result of this government shutdown, of this failed legislation, this not-ready-for-prime-time hostile takeover of almost a sixth of the economy.

In short, the other side has no problem. I guess that's right. Now the Affordable Care Act is the American people's problem, and yet they continue to blame us. They continue to demagogue and say it's all about us.

We have a President who will not negotiate. He will negotiate with terrorists; he will get his foreign policy from the Russian President, Putin; but he will not come to the House of Representatives and negotiate.

The majority leader in the Senate and the Executive in the White House want this House of Representatives, the Republicans, to unconditionally surrender and roll over and forget that

it is the American public that has the problem—this huge entitlement that the gentleman from Texas was just alluding to. This is our method of getting negotiations going about fixing that problem.

Interestingly enough, today we heard in speeches on the floor of the House the analogy of the Republicans' attempt to go ahead and fund those crucial parts of the government while they play their games. They bring up a game analogy called Whac-A-Mole. They say that our policy is akin to Whac-A-Mole. Well, Mr. Speaker, this is the first time I recall in recorded history that someone has actually made a molehill out of a mountain—a Whac-A-Mole analogy.

I would submit that the "Unaffordable Care Act," as I like to call it, is a lot larger than the 900-pound gorilla in the room. Our colleagues on the other side are ignoring the 900-pound gorilla and paying attention to moles, that proverbial molehill. That's so interesting.

In some of their comments today they have been decrying the fact that hunters in their own States may not get to hunt. Well, that seems really peculiar to me. The party who is in favor of gun control, who seems to be anti-Second Amendment rights in my opinion, all of a sudden are interested in hunters' rights. As Mr. Rogers from the old TV show used to say: Can you spell hypocrisy? Sure you can.

It's very interesting to me, Mr. Speaker, at this juncture in the game, that all of a sudden they're interested in those rights that heretofore they had no interest in and somehow it's the Republicans' fault.

I will remind my colleagues on the other side of the aisle, as well as the American people, that of the last 17 shutdowns in the last 30 years, 15 of those shutdowns occurred when a Democratic majority was in control of this House of Representatives. You never heard the terms "terrorists," "holding a gun to the head," "refusing to negotiate." You never heard that back then.

But because of this Affordable Care Act, as the gentleman from Texas has already eloquently stated is a huge mandate, because this seems to be their signature legislation—to make Americans have health insurance—now we're hearing that all of a sudden they're in favor of these other things.

Well, Mr. Speaker, since March 23, 2010, when President Obama signed that hostile takeover of health care into law, we have seen key promise after key promise made to the American people broken.

The President said, "The Affordable Care Act is designed to make it easier for younger Americans to obtain and maintain health insurance." Well, I'm from Texas. We believe in being truthful with people. In Texas, you get in trouble for making those kinds of false statements. We still believe in truth, justice, and the American way even though we're from Texas.

In reality, if ObamaCare is implemented in Texas, health insurance premiums on the individual market will see an increase of 53 percent for young males and an increase of 11 percent for young females. That doesn't sound like such an affordable deal. To top that off, those who live in Texas could see premiums increase up to 43 percent in the individual market and 23 percent in the small group market.

Promise number two, broken, the President said, "If you like your current health care plan, you'll be able to keep it." Promise number two, broken.

The fact is, ObamaCare incentivizes, as the gentleman from Texas stated, employers to drop coverage to avert taxes and fees that would be imposed on those small businesses and large businesses if they were to continue to provide their employees coverage. Home Depot, UPS, to name a few, have dropped tens of thousands of covered employees from their plans just at the outset of this. According to the CBO, 7 million people will lose their employer-sponsored coverage, nearly double the previous estimate of 4 million.

In 2012, the Texas State Comptroller, Susan Combs, and her office surveyed Texas members of the National Federation of Independent Businesses and received replies from over 900 Texas businesses, large and small. In that report, only 3.4 percent of those business owners believe that the President's health care would be good for their business. In fact, fines and penalties paid by those same Texas businesses with more than 50 employees for fiscal year 2010 through 2019, those fines were estimated at \$9.3 billion.

Not only have there been broken promises, there have been major delays of the law. It is simply not ready for prime time; and the truth of the matter is, folks, it will probably never be. As more and more Americans get that, they understand how imperative it is that we make changes in that law. In fact, since the law has been in place, there have been 22 actions to defund, revise, or repeal parts of that overburdensome law.

To the other side, I would say this. Let's use the President's words: Knock it off and move on. Fifty-nine percent of the American people want this law defunded. Why does the President and the majority leader keep ignoring the American taxpayers?

In my district, I have constituents sharing their heart-wrenching stories about the negative impact ObamaCare has already had on their family. There's been hundreds of responses. Take Susan Gay from Beaumont. She said:

My husband and his coworkers lost their overtime 2 years ago from the vote for ObamaCare. We are now still frightened he may lose his job, as he works for a small business man locally in Beaumont.

Susan, I hear you. The Republicans hear you. We're fighting for you, fighting for your husband and his coworkers and millions of others that have al-

ready been negatively impacted by the President's hostile takeover of the health care system.

Folks, your House Republicans are making every effort to get rid of this law. We have introduced replacement bills that will empower the individual and make affordable health care more accessible for everyone.

Folks, there is a better way. It is high time that the President and the Senate get on board with us in the House if they truly want to help and listen to the American people.

I'm RANDY WEBER, and I'm proud to be a Texan.

Mr. BARTON. Thank you, Congressman WEBER.

Before I yield to my friend from far north Texas, Mr. BENISHEK, of the First District of Michigan, I want to read into the RECORD a comment that I received on my Facebook page. Now, most of these comments are from Texans, some of them are not. I'm not sure of the location of this gentleman, Mr. Dave Guss, Jr. This is a Facebook page comment received yesterday or this morning:

Just got a letter from my provider that my policy will end and I need to purchase a new one. When I called and asked why, I was told that my current policy does not meet the required coverage for ObamaCare because it has no prenatal coverage. I am a male. The new policy will cost me \$500 a month, the old one I had was \$200 a month.

We have a number of these stories, Mr. Speaker, that I will be putting into the RECORD as this Special Order continues. But now I would like to yield to the gentleman from the First District of Michigan (Mr. BENISHEK).

Mr. BENISHEK. I want to thank my colleague from Texas. I feel a great affinity for my Texas colleagues, and I'm an avid fan of western swing, especially Bob Wills.

I didn't know how we would end up in a shutdown. I never really wanted to have a shutdown in the government. I wanted to reach a compromise with the Senate and have business go on. The problem is that, in the House, we've passed four different pieces of legislation that would have prevented a shutdown. I mean, I can see, for example, the first thing that we sent to the Senate was a plan to fund the government and defund ObamaCare. Okay. I can understand that the Senate isn't going to maybe significantly budge on that, but maybe we would get out of the Senate some votes. Maybe some Democrat Senators would vote for it. We would see what kind of support we would have on the Democrat side in the Senate.

So then we sent to the Senate a piece of legislation which simply delayed the President's health care law for a year. The President had already delayed components of his law for some people or for some time. So let's try this. Maybe we would get Democrat votes in the Senate to support that. Well, those two propositions, they weren't even voted on. They were tabled in the Senate. They voted to table them and not

have any debate about the merits of those two proposals.

So then we sent to the Senate a proposal not to defund the President's health care law but to continue to fund the President's health care law, but to change the law so that it affected all Americans the same. The President, by executive order, changed his own law. Contrary to the law, he wrote an executive order to change the nature of the law so that employers were exempted from their mandate. In other words, the law mandates that employers provide insurance for their employees or suffer a fine. The law also demands that individuals buy insurance or suffer a fine. Well, the President saw fit to change the law so that major employers don't have to pay a fine, delayed the enforcement of that part of the law for a year, despite the fact that the law doesn't go for that.

And when is the President allowed to change a law by edict, by his signature? We change laws in this country by statute. Should we allow a President to change the law at his whim?

Another aspect where the President changed the law is he changed the law to give special privileges to Members of Congress, that the Members of Congress who have to go to the exchange would be afforded a subsidy—unlike anyone else who has to go to the exchange. So how is the President changing the law to give special privileges to Congress something that the American people should be for?

□ 1245

I think that the American people want the law to apply to everyone the same.

The third thing that we asked for from the Senate was simply change the law so that the law applies to the Congress, to the President, and to the Vice President, the same as it does to every other American, and to afford individuals the same delay in the law that the President granted to his big manufacturers, some of his favorite unions—not all unions got it. Why not all Americans?

So that is what we asked for in the Senate. Not even to defund the President's health care law, but simply to make the law abide with all Americans.

How is it that we have become a country where the law applies only to certain people—that the President by a written statement can exempt certain people from the law? Is that what this country is becoming? Is that the United States of America that we grew up in? I don't think so.

I think what we asked for, which funded ObamaCare and simply changed the law to apply to everyone, was certainly a reasonable compromise from our initial piece of legislation. And they tabled that.

Our fourth effort to keep the government open was simply to ask the Senate to come talk to us. So if you won't agree to make the law the same for everyone, will you at least come to us

and talk about what you will accept? That is why we are in this impasse we are today.

We have taken steps to reopen the government. We have passed targeted pieces of legislation that will fund critical portions of our government—FEMA, national parks, WIC, Veterans Affairs, the National Institutes of Health, the National Guard. We even passed legislation that furloughed employees will be paid once the shutdown ends.

The Senate and the administration have given exceptions to their allies, big businesses, and some unions. Why shouldn't the American people be given the same kind of treatment?

We have heard a lot about a clean CR. I don't know, I don't see how it is so clean when it allows the President to change a law by edict. I don't see that as a clean piece of legislation. I think that is a piece of legislation that allows unfairness in the law to continue. To me, it is rather unclear.

I am willing to talk to the Senate to come to some sort of agreement, but it just strikes me as really, really disingenuous to call what they are calling a clean CR "clean" when in reality it is allowing the President to change the law at his whim. I think that the administration and the Senate certainly should come to the bargaining table and talk to the House. The "power of the purse." We have the power of the purse. Shouldn't our consideration be taken into account? Shouldn't we have conversations to make sure that the country stays open?

I just wanted to explain to you, Mr. Speaker, and to those listening, how I feel and why we are here. I would ask your support in that.

Mr. BARTON. I thank the gentleman from Michigan.

Mr. Speaker, before I yield to the gentleman from Florida, I want to read two more comments into the record from my Facebook page.

The first one is from Kevin Hussey, H-U-S-S-E-Y. Kevin says:

It's doubled my premiums. Simply put, how is that "affordable?"

And Laren Engel Schmude comments:

My mom is facing having her hours cut, or being laid off all together, not to mention that her company is dropping health insurance for part-time employees all together.

Again, these are comments from folks on my Facebook page.

I would also like to point out that my wife, Terri Barton, is the marketing director for Ennis Regional Medical Center in our hometown of Ennis, Texas, and it is her job to help the hospital get ready to implement ObamaCare. I have texted her this morning and asked her how that is going, and she has replied that the counselors are all trained and they are ready to help if people call in wanting to sign up. Ennis Regional Medical Center is a certified application center, but so far very few people have called and tried to sign up.

That is on the front lines. Ennis Regional Medical Center is a hospital approximately, I think, 60 or 70 beds, in a town of approximately 18,000 people, in the suburbs of Dallas and Fort Worth, Texas. It is on the front lines of ObamaCare as we implement it, if we do implement it.

With that, I yield such time as he may consume to the gentleman from Florida, Congressman YOHO.

Mr. YOHO. I thank my colleague from Texas, and I appreciate you wearing our stripes on your tie today. That is apropos.

Mr. Speaker, I would like to address all of my colleagues, both Republicans and Democrats, but more importantly, the American people, for they are the ones that we all need to listen to. They are the ones that will hold us accountable. We were sent here to represent the people. I represent approximately 700,000 citizens in north Florida's congressional district and had approximately 65 percent plus support of that district.

One of the things I ran on was preventing the Affordable Care Act from being implemented, and I have voted to do all in my power to prevent this ill-conceived legislative malpractice of a bill from being a burden to the American citizens I represent.

I also ran on the rule of law and the adherence to the Constitution. So when I hear my colleagues on the left—I mean, excuse me, to this side of the Chamber—say the Republicans want to shut down the government, I find it somewhat disingenuous.

I am voting the way the majority of the people I represent have instructed me to do, as have my colleagues.

Since we are the House, the people's House, we are the voice of the people. So when my Democratic colleagues say the Republicans want to shut down the government, keep in mind that it is the voice of the people that we represent whose voice you are hearing. That is the way a representative Republic works.

Another issue that belittles this body and lowers our approval rating—I read the other day—with the American people, equal to or less than a root canal or a colonoscopy, is the drama, the theatrics, and the name-calling. Understand, no one on this side, as is true for your side, wants children, veterans, old people, or widows to starve or to be deprived of health care. We, as you, will take care of the needy, the truly needy.

The name-calling, I have to admit, seems to emanate from one side more than the other side. I have heard childish, angry words like "jihadist," "terrorist," "anarchist." Today, I heard "Whack-a-moles," "teabaggers" and "Tea Party radicals."

Now, it is interesting, the word "Tea Party" reminds me of a time in our history. In fact, it was a pivotal point in this country in gaining its independence from a tyrannical government under the rule of law by the King of England. I am so thankful that the

colonists at that time rose up—rose up—in opposition to a minimal tax placed upon all the tea sold into America. That led to the Boston Tea Party.

So isn't it ironic that after 237 years, we have created a government that not only says you must pay the tax, but you also must buy our tea? Can you say the "Affordable Care Act?" Is it any wonder that today there is a new Tea Party in America with a mindset of limited government, fiscal responsibility, free enterprise, personal responsibility, and the Constitution?

The Tea Party is a movement. It was a spontaneous movement that happened throughout this country. There is no national leader, there is no national headquarters. The American people said they were tired of Washington and the gridlock and politics as usual, and that led us to where we are at today. They said, like I did: "I had enough."

Now, as far as shutting down the government, nobody I know wants to shut down the government, because in the shutdown who pays? The American people pay. Therefore, it would behoove us to negotiate a settlement to keep the government up and running for the benefit of these people and for this great country.

The Republicans have offered at four different times CR legislation that represented the voice of our constituents to keep the government open. Two of those offers were outright rejected by the President himself and the leader of the Senate, Mr. REID.

We worked through last Saturday up here until 2 in the morning and passed more legislation to resolve this issue and compromised. We did not hear back from either side—the President or Mr. REID. Many of us in the Republican party were on the Senate steps of the Capitol on Sunday afternoon asking for a chance to sit at the table just to negotiate in conference to stop this gridlock and get America back to work again. Again, silence from the President and Mr. REID. We did not hear from the President or Mr. REID until Monday afternoon. Their answer was "no negotiation," which translates to "our way or the highway."

On one other point, to clarify, is for the House and Senate to go to conference over the budget. Yet the Senate didn't offer a budget for over 4 years, the last 4 years. But now all of a sudden it is a problem if we don't go to conference.

Again, one side is being disingenuous to the American people, because a budget does not fund our government. A budget is a wish list of the House of Representatives, of the Senate, and the President. Appropriations are what funds this government, and the House has passed four appropriations bills, and the Senate has failed to bring those up for approval by the Senate and then send over to the President to sign. So again, America, you are being fed misinformation.

That is why this government is shut down. The American people need to

hear the other side of the story. They need to hear that we amended our bills, the CR bills, four times from the House to negotiate with the Senate. They need to know that we requested to go to conference to resolve our differences, the way a Republic is supposed to work, the way differences have been resolved in this esteemed body since its inception.

Mr. Speaker. Let's add an air of dignity to this damaged body, let's end the name-calling, let's end the bickering, let's go to conference on a continuing resolution, hash out our differences and get this government up and running again, and let's focus on the ensuing tsunami that is coming called our debt ceiling.

This is a time for us not to be Republicans or Democrats; this is a time for us to be Americans. It is what the American people expect, it is what the American people deserve, and it is what I came to Washington to do.

Mr. BARTON. I thank the gentleman from Florida.

Mr. Speaker, I want to read a couple of more comments from my Facebook page that have come in in the last days.

This is from a gentleman named Richard Lay:

Since ObamaCare my insurance rates have gone through the roof. Every teacher I know has seen their monthly insurance rates increase by more than \$200 to \$300 per month. One teacher's went up by \$400.

Mr. Anthony Rhodes from Arlington, Texas writes:

My rates have increased over 15 percent a year for the last 3 years. Last year and 3 years ago, my deductibles also went up 20 and 50 percent respectively. There has been nothing affordable about my health care for the last 3 years. I have less coverage and it costs me more, and even if I wanted to cancel it, I am better off paying the high prices because I get hit with a penalty tax if I cancel. I get fighting mad just thinking about the mess of legislation that was passed so that we could "find out what's in it."

With that, I yield such time as he may consume to the gentleman from the 11th District of Texas, Mr. MIKE CONAWAY, from Midland, Texas.

Mr. CONAWAY. I thank my colleague from Ennis, Texas. I appreciate his hosting this hour.

Mr. Speaker, as we all know, this Affordable Care Act, or ObamaCare, or as most of the folks in District 11 want to refer to it, the "Unaffordable Care Act," was passed in this House by the slimmest of margins in March of 2010 and then passed without, frankly, one Republican vote. It was also passed in the Senate by parliamentary tricks that were used to avoid the 60-vote issue that they lost. Once they lost the Ted Kennedy seat to Scott Brown, it eliminated their ability to cram it through there. They had to resort to some parliamentary issues. Again, with not one Republican vote to make that happen.

While our colleagues on the other side may say that this is currently the law of the land, that was 3½ years ago.

Today, poll after poll is showing that the American people are expressing themselves that they do not want this bill and the underlying requirements and costs associated with it crammed down their throat. Much like those now infamous words of Speaker PELOSI when she said that we were going to have to pass this bill before we would know what is in it, the American people are going to have to suffer through this flawed rollout in order to understand what is in it that they do not like as part of the implementation of this deal.

□ 1300

Mr. Speaker, we've had to resort to a government shutdown, quite frankly, to try to get this President's attention and HARRY REID's in order to force them to come to the table. It is almost unconscionable to hold the American people through their government hostage like that, but that is exactly what this President and HARRY REID have wanted to do.

We have time and time again, as has been recounted already on this floor today, to find common ground with this President and the majority leader in the Senate and to come to agreement on those parts of funding the government that are unrelated to the implementation of the Affordable Care Act, areas in which we thought we could agree.

One of the first ones was the bill that passed unanimously in the House to fund the Department of Defense and the related contractors while this shutdown is going on so that they would not be impacted by it. We then sent a series of bills across this House floor for which we've gotten good bipartisan support.

We've had 25 Democrats agree with us on continuing the funding of pediatric research. We've had 23 Democrats agree with us that we should reopen our parks and memorials. We've had 35 Democrats agree that veterans benefits should not be impacted by this. We've had 36 Democrats agree with us that the National Guard and Army Reserve should be paid for their monthly training. We've had 23 Democrats join us on disaster relief. Then, just today, we had 189 Democrats—100 percent of those voting—agree with us to pay furloughed Federal employees once this conflict with the White House and the Senate is over; and 184 of them agreed with us that the Federal Government should continue to provide religious services to our Armed Forces while this is going on.

In addition to these efforts, the House passed by voice vote a bill that would allow the District of Columbia to continue to operate using its own resources, not Federal general revenues. It was UC'd, as that phrase is used in the Senate, and it was passed by the President.

So this President and HARRY REID have had a very checkered pattern of supporting some issues that we

thought we had common ground on, but not supporting others, including HARRY REID's now callous comment with reference to children with cancer as to why would we want to continue that funding during this time frame.

Mr. Speaker, analogies are always dangerous, but this one, I think, fits. During the Cold War, the Soviet Union built a wall in Berlin, separating East Germany from West Germany. I would argue that we are in another cold war today with this President and with HARRY REID in the Senate. This is a cold war that they are also building a wall of, but their flat-out refusal to negotiate with House Republicans—except, of course, when it benefits a constituency that they believe is important to them on these issues—is their building of a wall of obstinance, a wall of hardheadedness and a wall of stiff-neckedness, if that is, in fact, a word. It's a little hard for somebody in west Texas to get his tongue around that one. Nevertheless, that is a wall in that they are refusing to listen to the American people.

To paraphrase those wonderful words of Ronald Reagan's when he was speaking to Gorbachev, I will try to use those same comments to this President and to HARRY REID, the majority leader of the Senate:

Mr. President, tear down this wall of obstinance. Tear down this wall of stiff-neckedness. Tear down this wall of not negotiating with House Republicans. Listen to the American people, and tear down that wall so that we can get this government back to operating and so that we can deal with a bill—and now a law—that the majority of Americans do not want.

Mr. BARTON. I thank the gentleman.

Before I yield to the Congressman from the Fourth District of Texas (Mr. HALL), let me read a few more comments into the RECORD from my Facebook page.

This is from Kevin Jones:

It hasn't hurt me yet, but it will. I don't have medical insurance; don't want medical insurance; don't need medical insurance. I pay my own way. Because I am self-pay, I am able to negotiate some nice discounts on my medical bills. ObamaCare will just be another tax on me.

This is from a lady named Theresa Stone:

I had a job that I did well in, but because I was expensive and getting old—I'm turning 54 in January—to save money, I was let go in February for absolutely bogus reasons. I am collecting unemployment, but that ends in January. I lost my insurance when I lost my job. I can't afford my bills—house, food and insurance—so I am uncovered. I will never sign up for ObamaCare—ever.

With that, I yield to the gentleman from Rockwall, Texas, the Fourth District of Texas, Mr. RALPH HALL, a decorated World War II veteran and, in my opinion, the absolutely nicest man in this Congress.

Mr. HALL. I thank you for those compliments. You read them out just exactly like I wrote them for you.

Mr. Speaker, I thank you, too, and I thank you for being here when most everyone else has gone.

ObamaCare was forced through the Congress without a single Republican vote. Just think about that for a second—not one Republican vote. I don't know if that has ever been done. I think Charles Krauthammer says it best in an article from yesterday's Washington Post.

He said:

From Social Security, to civil rights, to Medicaid, to Medicare, never in the modern history of the country has major social legislation been enacted on a straight party-line vote—never. In every case, there was significant reaching across the aisle, enhancing the law's legitimacy and endurance. Yet ObamaCare, which revolutionizes one-sixth of the economy, regulates every aspect of medical practice and intimately affects just about every citizen, passed without a single GOP vote.

Mr. Krauthammer is not alone in being concerned about this country. We are concerned about, not the Members of this House or of the Senate, but of everyone who has children or who cares about children.

Let's talk about jobs. There are no jobs now whether you are educated or not educated. They don't look to a job. By the time this President exits, they're not going to find any employers. That's how serious it is. This is a real problem, Mr. Speaker, and I'm afraid it's going to bankrupt the families and bankrupt the businesses in the Fourth Congressional District, which was the third largest user of manufacturers in the entire United States Congress—House or Senate—in 2011. I have not seen the words for 2012.

We are forcing people to buy insurance that they can't afford; and if they opt out, we fine them. Then they can't even afford the fine. What a train wreck. Go ahead and go to the Web site and sign up. There are reports from all over the country of glitches and of the confusion and frustration from those who have tried. Now we're hearing that the Federal Government will be shutting down the Web site for repairs. You would think, after 3 years of planning, it would at least be able to sign people up. This is clearly not the case, and they are clearly not ready for prime time. I think this is a sign of things to come under ObamaCare, Mr. Speaker.

I am also concerned about data security in this system. Given the government's track record, I am worried that people's personal information could get out. All of us have good and honest relationships with our doctors. We trust each other. We do not need the government to get in the middle of that relationship. The push for ObamaCare was to cover all Americans; and now, according to the Congressional Budget Office, 30 million people will still not be covered in the year 2022. So what's going on here? This is just one giant tax on the American people. If you don't sign up, you get taxed. If you do sign up, your rates will go up, and some reports are saying it will be by as much as 400 percent.

In closing, I'll just say another push for ObamaCare was to bring down the

cost of health care. According to the American Action Forum, health insurance rates for people between the ages of 18 and 35 will go up substantially. Premiums for this group before ObamaCare averaged about \$62 a month, and now the premiums for these youngsters will be on the average of \$187 a month. That's triple the cost. How is this helping? My constituents are opposed to this bad health care law. My mail is 100 to 1 against it, and I am opposed to it.

The folks on the other side of the aisle should listen to the majority of Americans and repeal, defund, or delay ObamaCare. The Senate had four chances to prevent this shutdown. They selected none of them, and we shut down.

Mr. BARTON. I thank the gentleman from the Fourth District.

I would point out to the Speaker that, yesterday, Congressman HALL was one of the Texas Congressmen who went to the World War II Memorial to make sure that our veterans on their honor flight were allowed in to see it.

I want to read one more email into the RECORD before I yield to the gentleman from Flower Mound, Texas, Dr. BURGESS. This has come in as we've been doing this Special Order, Mr. Speaker.

Katie Hoffman of Minneapolis, Minnesota, says:

Hi, Joe. Keep up the good battle today. I am tuned in to C-SPAN with a close eye. I received notice last week under the Affordable Health Care Act that my insurance will be doubling almost from \$113 a month to \$207 a month. I am a 35, nonsmoking, healthy female. Who am I paying for? I've had enough. I'm working hard to cover the non-working society—frustrated. Keep up the fight.

Then one more from a gentleman named Tim Ruschi:

Dear Representative Barton, I just want to express my support for your efforts. I am watching you right now on C-SPAN. My wife and I received a certified letter recently from our insurance provider, Cigna, informing us that our health insurance plan is being dissolved, effective January 1, 2014. I believe the President knew he was lying when he boldly proclaimed many times that, if people liked their insurance coverage, they could keep it—period. He knew or should have known full well that the Affordable Care Act would cause many insurance plans to shut down, and now this has become the sad reality. I cannot trust anything the President or this administration says anymore.

With that, I yield to the gentleman from Flower Mound, Texas, in Denton County, Texas, Dr. MICHAEL BURGESS.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities towards the President.

Mr. BARTON. If I may let the Speaker know, this was an email sent to me from an American citizen. I was just reading something an American citizen wrote. These are not my remarks.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities towards the President, including by reading into

debate matter that would be improper if spoken in the Member's own words.

Mr. BURGESS. I thank Mr. BARTON for bringing this hour to the floor of the House.

Mr. Speaker, it is significant that this is the Texas hour. People look to Texas for leadership. Certainly, from an economic standpoint, Texas enjoys a AAA rating. The United States, unfortunately, does not.

If you look at Texas between the years 2009 and 2011, it gained nearly a million new residents. Other times when there have been vast expansions of populations in a State, the rate of uninsurance has also increased, except in Texas. During that time period from 2009 to 2011, the rate of uninsurance went down.

Why is that?

It's because people were moving to Texas because they could find a job, and accompanying that job typically was employer-sponsored insurance. The reason for that is, of course, that Texas has a long history of utilizing the energy resources inherent in that State. In fact, it's Texas that has gone a long way towards redefining our national energy policy and making us an exporter of energy rather than an importer.

But our purpose today, here, is to talk about the Affordable Care Act. It has already been referenced that the other body passed this late on a Christmas Eve in order to get out of town right before a snowstorm. Now, the chairman of the Finance Committee in the other body when talking to the Secretary of Health and Human Services earlier this year said, Madam Secretary, I am worried that we are seeing a train wreck.

I wanted to provide for Members of the House of Representatives what a train wreck looks like right before it happens.

Ladies and gentlemen, the House and my colleagues, this is where we were last Monday night—the two locomotives bearing down on each other with smoke trailing out of each of their smokestacks. This is a train wreck right before it happens, and that's where we were on Monday night. A train wreck was fixing to happen, and we were trying to do everything possible to prevent it. We had passed four bills and had sent them over to the Senate to allow funding for the government. Each one had been rejected. In fact, with the last one, in the spirit of compromise, we said let's just sit down and talk; and the Senate rejected that as well.

When you stop and think about the history of this thing, you say, Why has it been so hard to implement this? The reason it has been hard to implement this is that this was never intended to become law.

The House of Representatives never had a single hearing on what at the time was known as H.R. 3590. It was passed in the Senate without a single Republican vote at the midnight hour

on Christmas Eve, and every Senator thought, We'll get a chance to go to conference and fix it. We know there are problems, but we'll get a chance to fix this. They didn't because they lost their 60th vote in Massachusetts, and the Senate majority leader told the Speaker of the House at the time, There is nothing else I can do. I've put everything into it. I can't pass this again in the Senate. It's because he lacked one vote.

I will just ask people in this body on both sides of the aisle to think back. Lyndon Johnson was a Member of this body. Lyndon Johnson was the majority leader of the Senate. Lyndon Johnson was President. Can you imagine Lyndon Johnson not passing the Civil Rights Act because he lacked one vote? Can you imagine Lyndon Johnson not passing Medicare because he lacked one vote? No. He would have exercised Senate leadership or Presidential leadership, and he would have gotten that vote, and he would have made it happen.

□ 1315

Both of those, by the way, passed with bipartisan majorities in both the House and the Senate. So don't fault the House of Representatives because of how bad this thing is. Don't fault the Representatives because the people of the United States do not like this thing. Don't fault the United States House of Representatives because they couldn't even get their informatics piece correct with 3½ years and billions and billions of dollars.

Why did the site crash in the first couple of days? They knew it was coming. They knew there would be great interest in this. Amazon is able to do that. Amazon handles how many millions of hits a day? Facebook—certainly a nonessential site on the Internet—how many transactions does it handle a day? How could they not be ready? This is, after all, the President's signature piece of legislation.

I get criticized because they say Republicans haven't tried to fix it. Republicans have tried to fix it. We have passed seven pieces of legislation that have modified the Affordable Care Act, and the President has signed them. The President himself has laid portions of this law down not to be enforced for whatever period of time he says.

Certainly, people can't sign up for preexisting condition coverage now. They have to wait until the first of the year. That window has been closed since February 1 of this year. The employer mandate went away right before the Fourth of July weekend. Reporting requirements were also suspended right after the Fourth of July weekend. The President has put more pieces of this law on hold than any Member of this House could ever do.

I appreciate so much the gentleman from Texas holding this hour. I'm privileged to have been a part of it. I did want to remind people what a train wreck looks like right before it happens.

Mr. BARTON. Mr. Speaker, how much time do we have remaining in this Special Order?

The SPEAKER pro tempore (Mr. BENTIVOLIO). The gentleman from Texas has 9 minutes remaining.

Mr. BARTON. Mr. Speaker, before I yield to Mr. STOCKMAN, I want to apologize to the House for reading into the RECORD comments from citizens of the United States exercising their First Amendment rights. One of those citizens made a disparaging remark about the President of the United States, and we understand that Members, ourselves, cannot personalize these issues. Some of our citizens that are commenting don't understand the rules, but I do, and I want to apologize to the House because I do understand the rules.

I now yield to Congressman STOCKMAN.

Mr. STOCKMAN. Mr. Speaker, I'd like to recognize the fact that we're talking here today about things that impact our Nation, and I want to talk about our Speaker who, as you know, or many of you know, I voted against and didn't want to be the Speaker. Today, our Speaker has been vilified after offering opportunity after opportunity to negotiate. The President, on the other hand, said he's not willing to negotiate with our Speaker.

The Speaker grew up in Ohio in a working-class community, and has negotiated many times with the President. It's most puzzling to me why now the stance of no negotiation. Every time we had a shutdown—I was here in the last shutdown—we negotiated. The President at that time, President Clinton, negotiated. In all the shutdowns, we always had negotiations. That's the way this body works is that we work on compromise.

The President wrote a letter to this individual who is the head of Iran. He's negotiating with the head of Iran, who wants to eliminate Israel. He's willing to negotiate with him for nuclear weapons.

The President also wants to negotiate with the head of Syria. This individual gassed his own people, tortured his own people, and killed his own people. I don't understand why he's willing to negotiate with him, but he is. Again, he's not willing to negotiate with our Speaker.

Next, the President is also willing to negotiate with the Taliban. The President ordered the release of several prisoners prior to even negotiations to get "the negotiating to start." Again, let me remind the body that the Speaker is not to be negotiated with, but the Taliban is. Now the President says, I'm willing to negotiate if you give up your position. That's not negotiation.

I would like to show you, Mr. Speaker, some of the words that have been used against our Speaker and the Republican body. We've been called by this administration: terrorists, anarchists, suicide bombers, blackmailers, fringe, extortionists, ideologists, gang-

sters, extremists, bombs strapped to their chest, guns held to their heads.

We're not talking about the terrorists who the President is negotiating with, but we're talking about the working-class gentleman from Ohio.

I call on the President to tone down the rhetoric. I call on the President to respect this body and to negotiate in good faith. It's time to end the government shutdown, and let's do it in a positive manner.

I would like to point out, too, while these names were hurled in insult to the Speaker, never once has the Speaker ever used that kind of terminology against our President.

I would like to see this body turn down the rhetoric and get back to the business of negotiating and making compromise. It's the fair thing to do, it's the proper thing to do, and I just appeal to the Nation to stop using this kind of rhetoric against people in this body. We deserve better.

I praise the gentleman from Ennis, Texas, for allowing me this time to speak to unifying the body and negotiating in fairness. We ask the President just to sit down.

By the way, Mr. Speaker, we've appointed conferees to negotiate. To this date, they've never shown up on the other side. We can't negotiate unless there's someone else. Anybody in a family knows that it takes a husband, a wife, a spouse, or a partner to make a deal. It takes two people. You can't do it unilaterally.

Mr. BARTON. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Texas has 2 minutes remaining.

Mr. BARTON. Mr. Speaker, to my friends in the body, this is a serious issue. ObamaCare, or the Affordable Care Act, as I said at the start, is a huge new entitlement. At a minimum, we would have a real debate about it. As has been pointed out, it barely passed the House on a partisan vote. No Republicans voted for it, and some Democrats, I think, voted against it. I think it passed by one or two votes. It passed the Senate only because they were able to get around the 60-vote requirement to end debate. It is the law of the land, but it was passed with all Democratic votes and no Republican votes.

Before it is fully implemented, I think it is worthy of a debate and it is worthy of the type of situation that's going on now. As I said at the top of this Special Order, if the Affordable Care Act is such a great thing, let's make it voluntary for the next year and let the American people choose whether they want to implement it as it is currently structured. If they don't, let's work together, hopefully on a bipartisan basis, Mr. Speaker, to change it.

No one wants the Federal Government to shut down. That's obvious. The Republicans in the House are bringing bills to the floor on a daily basis to try



to open up as much of the Federal Government as is possible. Our friends on the Democrat side some days are with us on that and some days are not. They were with us today on paying furloughed Federal workers when they come back to work. Hopefully, next week, they will be with us on paying the veterans, opening the VA, the national parks, funding cancer research, and some of the things that earlier this week they were against.

Mr. Speaker, I yield back the balance of my time.

#### OBAMACARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, in information that came out after close of business yesterday, there was a report from CNBC about the 99 percent of ObamaCare applications that hit a wall. This report said:

As few as 1 in 100 applications on the Federal exchange contains enough information to enroll the applicant in a plan, several insurance industry sources told CNBC on Friday. Some of the problems involve how the exchange's software collects and verifies an applicant's data.

"It is extraordinary that these systems weren't ready," said Sumit Nijhawan, CEO of Infogix, which handles data integrity issues for many major insurers including WellPoint and Cigna, as well as, multiple Blue Cross/Blue Shield affiliates.

Experts said that if Healthcare.gov's success rate doesn't improve within the next month or so, Federal officials could face a situation in January in which relatively large numbers of people believe they have coverage starting that month, but whose enrollment applications have not been processed.

"It could be public relations nightmare," said Nijhawan. Insurers have told his company that just 1 in 100 enrollment applicants being sent from the Federal marketplace have provided sufficient verified information.

The article goes on:

One insurer reported a better, but still stunningly low, rate of enrollment applications containing enough data to process for coverage. "It's about half of what we've received," a source at that insurer said.

"We're getting incomplete data—about half of the applications we haven't been able to process," said the source, who used the term "corrupted" to describe the batch of applications received.

The article goes on to point out what a huge problem, after 3½ years to get ready for ObamaCare to be the law of the land, after repeated refusals to negotiate whatsoever on delaying anything except for what the President has signed in the way of exemptions and waivers, hundreds of times himself, as he and Chief Justice Roberts completely rewrote the original ObamaCare bill. There has been a refusal to allow everyone in America to stand on the same fair, level playing field as the friends or supporters of the President have gotten through their

waivers and exemptions, including people in Congress, which many of us here in this body have refused to accept if Americans don't get them as well.

□ 1330

One person in the article said he blamed the exchanges' software, which is allowing too many people to finish the process online without making sure they provide answers needed by the insurers processing the applications. But the article also mentions there are going to have to be people who go back and try to get information from these individuals that did not complete the application process—it sounds like through no fault of their own, just for the impropriety of the software programs, themselves.

And it's not difficult to see what a nightmare that will be, as it opens wide the door for identity thieves to start making calls or sending emails telling people they did not adequately complete the process, and they need this information or that information. It's going to be tough for people to know, Am I sending information to the government, or am I sending it to a proper contractor, or am I sending my information to an identity thief?

The process was not ready for prime time, and it's just going to get worse as we move toward January in the problems that are occurring.

Here is an article from Dr. Susan Barry. This was dated October 3, talking about Secretary Sebelius:

The woman who is behind the controls of ObamaCare was unable to convince even one person from Kansas, the State she used to govern, to sign up for it.

Though HHS Secretary Kathleen Sebelius is the former Governor of Kansas, Representative Tim Huelskamp was informed by an insurance provider in his home State that none of the 365,000 uninsured people living there successfully signed up for insurance on the ObamaCare exchange on the first day.

Now in the midst of all the chaos, all of the broken promises where people have lost their insurance, they have lost the coverage they had, even when they keep their insurance, insurance prices have spiked for the vast majority of Americans in this country.

They did not get the \$2,500 cheaper insurance the President promised. They either lost their insurance altogether or it has spiked dramatically. They didn't get to keep their doctor. We're hearing from those people constantly. And at the same time, when here in the House, we have sent compromise after compromise before the shutdown occurred down to the Senate, which normally, in a functioning Senate, would have the Senate—if they didn't like what we proposed—send back an alternative. And at that point, after an alternative is passed in the Senate, then the Speaker can appoint negotiators called conferees. The head of the majority in the Senate, HARRY REID, could appoint negotiators, and then come together, and they work out an agreement. And then that comes to the House and Senate for an up-or-

down vote, non-amendable, straight up-or-down vote in each House.

But the Senate was playing games. It is now clear that there was no intention of having any agreement, that the conventional wisdom in this town for the last 3 years say that, Gee, if there is a shutdown, then Republicans will likely lose the majority in the next election. So whatever it takes to shut down the government, go ahead.

That was borne out by the fact that the first 21 mainstream stories completely faulted the Republicans, failing to point out the compromises that were sent down the hall and the Democrats' refusal to even entertain them. And then on the fourth, the ultimate capitulation said, All right, all right. Basically, we're appointing conferees; just appoint people to sit down and talk about it. We can probably have this worked out by morning. But it was clear they wanted damage from a government shutdown.

We've learned that as these telltale signs emerged—and one park ranger was quoted as saying that it was disgusting. But as park rangers, they had been instructed to make life as difficult as possible for people.

We're getting stories in from around the country about how this abusive Federal Government that wants to tell you what health care you can have, what surgery you can have, who wants to supervise everything about your private life, they want every page of every medical record about you they can get their grimy hands on so that bureaucrats can decide if you're doing something they don't like, how to jerk you around, as the IRS has been caught doing now, as we've gotten reports of other agencies—whether EPA, FEC, others—being abusive. And we find case after case now, since the shutdown, of this government funding park rangers to go out and create as much chaos for Americans as possible.

We have this administration, where the buck stops with the Commander in Chief, that has now made clear to Catholic chaplains of the military that are independent contractors that you are not to show up and conduct mass on Sunday. And if you do, you may be arrested or subjected to disciplinary action.

There was a time in this country when we believed in volunteerism, where no matter what happened, Americans would step up and make sure things that needed to happen actually got done. Now we have an abusive administration so intent on, as the park ranger said, making life as difficult as possible for people in such a mean-spirited way that it would go shut down facilities that don't take a dime of Federal money just to hurt as many people as possible.

And those same people that are calling those shots want to decide what you can have in the way of health care, Mr. Speaker. No, thank you. I am opting out. I will pay the penalty. I am not going to have the government telling me what I can or cannot have. I



will pay the penalty. I'm waiving the subsidies. If Americans can't have it, why should we, in Congress?

That same spirit of entrepreneurialism prevailed in 1995 when the Grand Canyon was actually shut down. It's amazing this administration hasn't tried to pay for some kind of screen to put over the top of the Grand Canyon so commercial airliners can't fly over and look down and see God's creation.

But in '95, there was an agreement between the State, local government, and the Federal Government to make sure that after it was initially closed, it reopened. And State and local government people were able to allow Americans who had scheduled their vacations, their travel time, to allow them to enjoy that.

Not this administration, oh no. They are so intent on refusing to allow even a delay across the board to be given to everyone as they've given to Big Business, to their cronies that they are not going to allow any local government, private business, States to reopen parks and things that have no business being shut.

The stories are coming in of all kinds of places that there was no need to close. There was no need to spend money to barricade but just to make life tough for Americans, because this is how Big Government has grown. This is how abusive government has become.

And I can't help but draw the conclusion that since Lois Lerner was never actually punished for the abuses and the obvious lies that have now come to light, that others in the Federal Government have said, Well, they didn't do anything to Lois Lerner. She got caught red-handed. So we can be as abusive to people as we want.

So a story from October 4 which talks about how Arizona Governor Brewer, local businesses, local governments are trying to get permission to fund the reopening of at least part of the Grand Canyon, but this Federal Government, like the park ranger said, wants to make life difficult and wants to create as much misery as possible.

I'll say this about the Carter administration. I was in the United States Army at Fort Benning for over half of the Carter administration, and we had a lot of misery as a result of the calls by the Commander in Chief then. And there came something that was called the misery index, to measure how miserable Americans were under President Carter. Because we were having inflation, which is now coming under this administration because of the massive creation of money. You can't keep creating money and not end up causing inflation. That's coming. Interest rates that keep being teased, that they're about to go higher. We'll see. And the unemployment rate was massively high back in those days.

But I'll say this about the Carter administration: they didn't mean to cause that much misery. They really did not mean to cause that much misery. There was massive misery across

the country back then. But at least that administration did not intend to make people that miserable.

But reports continue to come in of the misery this administration is inflicting because they can, because they want everyone to succumb to what has been classified as Chicago-style thugery, that having more to do with tactics of organized crime. If you didn't go along with what they wanted, they made you suffer. And we're seeing that.

I mean, for goodness sake, we passed a law before the shutdown. I've been pushing for a military pay bill for over 2½ years. And I'm very grateful the Speaker finally brought that to the floor. I'm grateful to the gentleman from Colorado, MICHAEL COFFMAN, for shepherding that. And then the Department of Defense gets it.

We were going to mitigate as much as we could. To the Senate's credit, they passed that before the shutdown. But then the Department of Defense, this administration chose to interpret it so much more narrowly than the law itself, and said that they furloughed lots of people, just like the park ranger said, trying to make life as difficult as possible. And they said, Well, we're going to take some time to read the legislation and let people suffer for a while. And eventually we'll get around to deciding whether or not we think Congress meant to do what they said they meant to do, and that is, protect our country, provide for the common defense, make sure our military continued to get paid, along with every private contractor that supported them in any way, along with every civilian employee that supported them in their role. They just, apparently, wanted to make life miserable.

There are enough problems being created by ObamaCare and by the overspending of this administration without creating things unnecessarily.

Here's a story from Stephanie Condon from CBS news about "Obamacare marketplaces raise data security concerns." That is continuing to be a concern. It seems to be borne out that this was a train wreck, it is a nightmare, and that it will continue to just get worse.

□ 1345

And the L.A. Times, Chad Terhune, had a story:

California exchange overstated its Web traffic for ObamaCare launch.

That would be consistent with so many of the mainstream that grabbed ahold of a young man who said he had signed up successfully, so he was hailed. He was interviewed by different media, and then come to find out, actually, he is a paid computer hack who gets paid by Organizing for America, President Obama's lobbying group that he funds. The guy is paid, as he admitted. He's paid to go online and just say things politically supportive of the President. It turns out he had not actually successfully signed up for ObamaCare.

There was a story from Andrew Johnson, National Review:

Zero enroll in the new Louisiana plan on ObamaCare's first day.

One from the Weekly Standard, October 3, the White House on a number of enrollees in ObamaCare:

We don't have that data.

AP reports that pressure continues to mount to fix the health insurance exchanges. Those continue to be a nightmare.

And in the midst of all this, where you had had Franklin Roosevelt say the only thing we have to fear is fear itself, we have John Harwood in a CNBC interview this week saying to the President, "Wall Street has been pretty calm about this," and the President said, "This time I think Wall Street should be concerned." So we have to fear the President making people fear.

There was an interesting online entry this week indicating at the World War II Memorial on the Mall in Washington where veterans have been staging protests to keep it open, Washington Examiner reports that at least seven officials were dispatched to Wednesday morning to set up a ring of barricades to block tourists from the memorial. That's two more security officers than the State Department had in Benghazi one year ago on the night of the terrorist attack that killed four, including the U.S. Ambassador.

Well, as I keep going out to the memorial each day to ensure veterans are getting in, I've noted there are more Park Service people out there than I have ever seen at the World War II Memorial. I have been there all times day and night—I don't sleep that much when I'm in Washington—although come to find out, our park rangers don't know the law. They don't know the parking law properly. There are a lot of things they don't know. We find out they have been instructed to make life as difficult as they can for people. As the ranger said, that was disgusting. Thank God there are some people I have met and spoken with with the Park Service that care about the veterans. We have veterans that serve in the Park Service who just want people to enjoy their parks, not to make things difficult. But I'm seeing more Park Service personnel around the Mall than you ever see out there around the World War II Memorial.

The last few days I've been out there, each time you see mounted Park Service people on horseback watching over things keeping their eye on the veterans. You know, those guys in wheelchairs from World War II, they may make a run. They may try to go down the sidewalk where they are not allowed.

It is outrageous what this administration is doing. The Obama administration has decided to block access to public memorials on the National Mall as a result of the government shutdown, like its decision to end White

House tours when the sequester cuts took effect. There is no rational reason for this. The Park Service normally in charge of monitoring these spaces isn't even affected by the shutdown, and they are shutting off access to these sites. It is gratuitous and petulant.

Another article about the ObamaCare privacy nightmare.

Shutting down the cemetery at Normandy for people that have spent so much, saved so much, trying to get a family member there to see the graves they never saw of people who fell while serving with them at Normandy is about as outrageous as it gets.

For heaven's sake, make life miserable for Members of Congress; but for Pete's sake, leave our veterans alone. Let them enjoy their memorials. Let them have their times of silence and meditation at their memorials, at their cemeteries. There are private entities, there are local governments, there are State governments wanting to keep these things open. But I can tell you, any administration that is so callous that it would allow and encourage difficulty for its citizens when it has a tantrum and doesn't get what it wants is not somebody you want in charge of your health care. Every American ought to be seeing this and ought to be saying loud and clear, let's hold up for at least a year on ObamaCare. You've done enough damage already. We don't want you controlling our health care. At least give us that break.

We are here this weekend. It would have been nice to have been back in east Texas and to be at the events that I was scheduled to be in different places this weekend, but we're here. I have no regrets. I just hope that the Senate, Mr. Speaker, and the administration will decide that negotiating means more than calling a press conference and announcing that we're willing to work things out, because when the President announces we're going to work things out, we're willing and he calls the leaders of Congress up to the White House so he can announce to them in person that we're not negotiating, I just wanted to make that clear, you give us everything I want, you abdicate, forget the Constitution, forget your requirements that you appropriate the money, you go through, you have oversight, you make sure that we're not wasting money, forget your obligations under that, give me all the money I had last year, don't put anything on it. Just give it to me like I want it or we're not negotiating. That is not an administration you want in control of your health care.

Mr. Speaker, I yield back the balance of my time.

#### ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3095. An act to ensure that any new or revised requirement providing for the screen-

ing, testing, or treatment of individuals operating commercial motor vehicles for sleep disorders is adopted pursuant to a rule-making proceeding, and for other purposes.

#### ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until Monday, October 7, 2013, at noon for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3236. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Litchi Fruit From Australia [Docket No.: APHIS-2009-0084] (RIN: 0579-AD56) received September 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3237. A letter from the Chief, Branch of Endangered Species Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Species Status for *Echinomastus erectocentrus* var. *acunensis* (*Acuna Cactus*) and *Pediocactus peeblesianus* var. *fickelseniae* (*Fickeisen Plains Cactus*) Throughout Their Ranges [Docket No.: FWS-R2-ES-2012-0061; 4500030113] (RIN: 1018-AY51) received September 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3238. A letter from the Chief, Branch of Endangered Species Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Taylor's Checkerspot Butterfly and Streaked Horned Lark [Docket No.: FWS-R1-ES-2013-0009; 4500030114] (RIN: 1081-AZ36) received September 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3239. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — United States-Columbia Trade Promotion Agreement [USCBP-2012-0017] (RIN: 1515-AD88) received September 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3240. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — United States-Panama Trade Promotion Agreement [USCBP-2013-0040] (RIN: 1515-AD93) received September 27, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GRAYSON:

H.R. 3247. A bill making continuing appropriations for all departments and agencies of the Federal Government, and for other purposes; to the Committee on Appropriations.

By Mr. GRAYSON:

H.R. 3248. A bill making continuing appropriations for all departments and agencies of the Federal Government, and for other purposes; to the Committee on Appropriations.

By Mr. GRAYSON:

H.R. 3249. A bill making continuing appropriations for all departments and agencies of the Federal Government, and for other purposes; to the Committee on Appropriations.

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H.R. 3250. A bill making continuing appropriations for all departments and agencies of the Federal Government, and for other purposes; to the Committee on Appropriations.

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H.R. 3253. A bill making continuing appropriations for all departments and agencies of the Federal Government, and for other purposes; to the Committee on Appropriations.

By Mr. GRAYSON:

H.R. 3254. A bill making continuing appropriations for all departments and agencies of the Federal Government, and for other purposes; to the Committee on Appropriations.

By Mr. GRAYSON:

H.R. 3255. A bill making continuing appropriations for all departments and agencies of the Federal Government, and for other purposes; to the Committee on Appropriations.

By Mr. GRAYSON:

H.R. 3256. A bill making continuing appropriations for all departments and agencies of the Federal Government, and for other purposes; to the Committee on Appropriations.

By Mr. GRAYSON:

H.R. 3257. A bill making continuing appropriations for all departments and agencies of the Federal Government, and for other purposes; to the Committee on Appropriations.

By Mr. GRAYSON:

H.R. 3258. A bill making continuing appropriations for all departments and agencies of the Federal Government, and for other purposes; to the Committee on Appropriations.

By Mr. GRAYSON:

H.R. 3259. A bill eliminating the debt ceiling for a period defined, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3260. A bill eliminating the debt ceiling for a period defined, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3261. A bill eliminating the debt ceiling for a period defined, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3262. A bill eliminating the debt ceiling for a period defined, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3263. A bill eliminating the debt ceiling for a period defined, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3264. A bill eliminating the debt ceiling for a period defined, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3265. A bill eliminating the debt ceiling for a period defined, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3266. A bill eliminating the debt ceiling for a period defined, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3267. A bill eliminating the debt ceiling for a period defined, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3268. A bill eliminating the debt ceiling for a period defined, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3269. A bill eliminating the debt ceiling for a period defined, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 3270. A bill eliminating the debt ceiling for a period defined, and for other purposes; to the Committee on Ways and Means.

By Mr. COLLINS of Georgia:

H. Con. Res. 58. Concurrent resolution expressing the sense of Congress regarding the need for the continued availability of religious services to members of the Armed Forces and their families during a lapse in appropriations; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. considered and agreed to.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GRAYSON:

H.R. 3247.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

By Mr. GRAYSON:

H.R. 3248.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

By Mr. GRAYSON:

H.R. 3249.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

By Mr. GRAYSON:

H.R. 3250.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

By Mr. GRAYSON:

H.R. 3251.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

By Mr. GRAYSON:

H.R. 3252.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

By Mr. GRAYSON:

H.R. 3253.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

By Mr. GRAYSON:

H.R. 3254.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

By Mr. GRAYSON:

H.R. 3255.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

By Mr. GRAYSON:

H.R. 3256.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

By Mr. GRAYSON:

H.R. 3257.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

By Mr. GRAYSON:

H.R. 3258.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .”

By Mr. GRAYSON:

H.R. 3259.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. GRAYSON:

H.R. 3260.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. GRAYSON:

H.R. 3261.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. GRAYSON:

H.R. 3262.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. GRAYSON:

H.R. 3263.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. GRAYSON:

H.R. 3264.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. GRAYSON:

H.R. 3265.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. GRAYSON:

H.R. 3266.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. GRAYSON:

H.R. 3267.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. GRAYSON:

H.R. 3268.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. GRAYSON:

H.R. 3269.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

By Mr. GRAYSON:

H.R. 3270.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .”

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 1263: Mr. VAN HOLLEN.

H.R. 1830: Mr. MORAN.

H.R. 1904: Mr. WELCH.

H.R. 2703: Mr. VALADAO.

H.R. 3239: Mr. CRAMER.

H.R. 3241: Mr. SALMON, Mr. NUGENT, Mr. WILSON of South Carolina, Mr. WENSTRUP, Mrs. WALORSKI, and Mr. CONAWAY.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 159

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No. 137

## Senate

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of Heaven, You are great, and we come before Your throne with reverence. Lord, look at us and hear our prayers for our Congress, our Nation, and our world. Make our lawmakers so transparently just and fair that falsehood may be banished by the truth that sets us free. Supply the needs of those who are hurting because of this government shutdown as You give our Senators the conviction that with You all things are possible.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 4 p.m. for debate only, with Senators permitted to speak for up to 10 minutes each.

(Ms. HIRONO assumed the chair.)

### CONTINUING APPROPRIATIONS

Mr. REID. Madam President, Senator SCHUMER yesterday on the floor talked about what the House is doing, and he

described it as “Alice in Wonderland.” I don’t know if that is an apt description. Maybe it is beyond that.

Here is where we are. The House has passed a bill to pay furloughed Federal employees—now, listen to this—once the government opens. Well, why wouldn’t we do that? But the problem is that this uncontroversial legislation is kind of unique, isn’t it?

So now what the Republicans in the House are telling—because they are the ones who set the agenda—they are telling all these Federal workers: What we are going to do for you now—even though we don’t like Federal workers and we haven’t given you a raise in 3 years—what we are going to do now is give you a paid vacation.

That is what it is. These people who want to go to work can’t go to work, but they are going to get paid, they know, when they leave here, and we knew that anyway. We heard today that a number of Federal employees are applying for unemployment benefits. So it is really cruel to tell workers they will receive backpay once the government opens and then refuse to open the government.

Let’s open the government. Hundreds of thousands of furloughed Federal servants want to work. They should be allowed to work. We have, for example, right now in our National Security Agency, 1,000 mathematicians—the numbers may be a little bit wrong but very close—we have 2,500 computer scientists, and 940 Ph.D.s who are home. They cannot work. They cannot get paid. It is not fair to them or our country. Let them work.

We get these little piecemeal bits of legislation from the House—for example, open the Park Service. In Nevada, that is great because we have some national forests there. But 87 percent of the land in the State of Nevada is owned by the Federal Government. The vast majority of that land is Bureau of Land Management. We have some beautiful conservation areas. One is

called Red Rock, which over 1 million people visit every year. It is closed. So opening the Park Service does not help a place 8 or 9 miles out of Las Vegas where 1 million people come to visit. They come there to do that. Some of the best rock climbing in the world is there.

These are ordinary Americans who have not been treated very well during the last several years by the Republicans anyway. No pay raises. They treat Federal employees as if they are a lower class of worker than other people.

Now, remember, Federal workers work really hard. The Presiding Officer works hard. All 8 million Federal employees work hard. There are exceptions, just like anywhere else.

I met two people yesterday. This hurts. Federal employees not being able to work hurts others. Lockheed announced today that they are laying off 3,000 people. They cannot get inspections done. I was with someone yesterday evening from US Air. They cannot take custody of a \$180-million airplane, a brandnew airplane. It is just sitting there. They cannot take custody of that airplane. Why? Because they need a final inspection. This is all throughout America. The Federal Government is involved in aspects of life that everyone has here in America—food inspectors, inspectors for making sure there is safety for a \$180 million airplane. Lockheed has things they are building. Some of them are missiles. They have to make sure they are safe and reliable. One man told me that they must, for the warheads in these nuclear weapons, test them after they have been here in service. They just cannot leave them here, they need to test them. The time is here for them to be tested. The safety and reliability of our nuclear weapons—there is nobody to do it.

Now we are saying to the Federal employees: We are going to pay you when this is all over, but right now you just

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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stay home. You 1,000 mathematicians, you 940 P.H.D.s, 2,500 computer scientists who work for the National Security Agency: Stay home. Watch TV. Play chess. Do whatever you want to do because we will not let you work. But look ahead; you are going to get paid.

On this side of the aisle, we like Federal employees. I like Federal employees. I look with great satisfaction at someone who works for the FBI or the Park Service. I want them to work.

This is really an important time for people to visit our monuments, our national treasures, but they cannot do that. So not only does it hurt people who want to go see the Washington Monument up close, but also—not in Washington as much—take the places around our national parks. There are little motels and restaurants that depend on those parks to make a living. Wintertime is coming. The ability to visit these parks is now very limited.

I have always cared about Federal employees. They do these jobs. Take the people who work for me and all Members of Congress. I have a Rhodes Scholar. She is a lawyer. She could go out in the private sector and make 10 times more money than she makes here. Why is she not doing that? She has two children. Why does she not do that? Because she cares about public service. I have people who work for me who are graduates of the best schools in America. They are here because they believe in public policy. They believe in being public servants. They are being told they are nonessential.

Some Members of Congress are kind of showing off, saying: Well, I am not closing my office.

I have closed my office because I do not think my employees should be treated any differently than someone who is working for the Bureau of Land Management or the FBI. They are home.

Mr. LEAHY. Would the Senator yield for a question?

Mr. REID. I would be happy to yield for a question from the senior Senator from Vermont.

Mr. LEAHY. Madam President, the distinguished leader had the opportunity to serve in both bodies. I appreciate what he said about his staff and the other staff.

Is it not the leader's observation that these staff people come here because of their love of this country, love of this government, and without a doubt they put in extraordinary hours—far more hours than the public might realize? Is that not a fact?

Mr. REID. Madam President, it is so true. These men and women, for example, who are assistant U.S. attorneys, they do not punch a time clock. They do not bill hours, how much they can make an hour. They take care of the needs of this country. If there are bad guys out there, they prosecute them. FBI agents, people who work for the U.S. Marshal Service—they serve warrants to some of the most dangerous

people in the world. They are home now. They are home. They do those jobs, I say to the distinguished President pro tempore of the Senate, because they chose public service.

I will be a little bit personal here. I have four boys and a girl, a daughter. I love my children as only a father could love his children. My daughter is married to a lawyer. She is a schoolteacher. My four boys are all lawyers. My next youngest gave up a job and took a pay cut of \$200,000 a year so he could go to work as a city attorney in Henderson, NV. That is what public servants are all about. They are not in it for the money. They are not in it for the glory. They are in it because it is the right thing to do.

As I look over this Chamber, I see two of my staff in the back row. I look at one young man who is a graduate of Stanford Law School. It is either the first, second, or third best law school every year in America. Could he go someplace else and make more money? You bet he could. He is an expert. He is an expert in finance, the budget process.

Mr. NELSON. Would the Senator yield for a quick comment?

Mr. REID. I would be happy to yield to the senior Senator from the great State of Florida.

Mr. NELSON. Madam President, since our leader is a former Capitol policeman, might it be noted that all of the Capitol Police Force that is protecting us and protected us the other day with the incident that occurred here—they are still here protecting us, and they are not being paid?

Mr. REID. Madam President, to my friend, I have given a couple of statements the last 2 days about the Capitol Police, but I never brought up the fact that I was a police officer. I was a police officer here in this building. My badge number is 364. I was an original. I still have it in my office here. I am proud of that. I did not have to do the dangerous things these young men and women do here. Some of them are not so young. They are really senior officers. But I carried a gun. I did some of what police officers do.

To think, as we look around this room—plainclothes officers are here, not getting paid. One of the officers was hurt and was hospitalized in that accident. He wasn't getting paid.

Tell me, I say to anyone who will listen or answer this question, why don't we open the government and let people go to work and do their jobs.

Public service is a calling—I won't say it is a calling, but some people feel it is.

I see the Senator from Maine. He and I worked in this building, the Capitol complex. Maybe that is where we developed our love of public service. I don't know where we developed it, but we both have it. Here is a man who has done such remarkable things.

He not only worked in the Senate many years ago, he was in the march for which we celebrated the 50-year an-

niversary. From a tree, he watched Dr. Martin Luther King give a speech. He loves public service, and he has a career that proves that.

The junior Senator from the State of Maine is one of the most dignified, experienced Senators that this body has ever had. That is the way it is with everybody.

The junior Senator from North Dakota has dedicated her life to public service. She held many elected offices in the State of North Dakota. She was a tax collector and attorney for Kent Conrad when he was tax collector. She was attorney general, ran for Governor, and would likely have been elected, but she was stricken with breast cancer. She came back.

She came back because public service is in her blood. She ran against great odds to become a Senator, and she is a Senator—not for the money but because she is contributing to the welfare of this country.

We are having these people stay at home? It is hard for me to comprehend.

It has been 1 week since the Senate passed a bill to reopen the Federal Government—1 week. For 7 days the Senate has been waiting for the House of Representatives to act.

Speaker BOEHNER has refused to allow the vote on the one bill that he said would reopen the government. It would open the government and keep it open. It has been all over the press the last few days.

He came to me and said: We can do a clean CR.

I said: What are the terms of that clean CR?

He said: It has to be at this year's level.

I said: We can't do that. We passed a budget here and we are \$70 billion above that.

We talked and we talked. He said that is how we can get a clean CR. What does that mean? It means we can just get it done quickly. I, as the press has indicated, talked with Senator MURRAY. She may be small in stature, but she is one tough Senator, the chairman of the Budget Committee.

I also had to talk to BARBARA MIKULSKI, the senior Senator from the State of Maryland. It wasn't easy to get those two chairs to agree to do \$988 billion. Once we got that done, I had to go to my caucus and sell that. I did it upon the representation that they would pass that and send it over to us. They sure didn't do that.

The bill we are asking the Speaker to vote on is the one he told me he wanted.

An economist who was JOHN MCCAIN's chief economic adviser during his campaign, who has admiration for Democrats and Republicans, said if the government shutdown drags on for 3 weeks, it will cost the economy \$55 billion.

It is already 1 week. We can all do that math. That cost is on par with the economic damage caused by Superstorm Sandy.

What the House has done with their “Alice in Wonderland” operation is they created another Sandy. It could be \$55 billion.

Although this is not an act of nature; this is a manmade disaster. It is a man-made disaster waiting to happen for national security.

The tea party shutdown is hampering our ability to enforce sanctions on Iran, just when they are beginning to bite hard.

The tea party shutdown is hurting our ability to gather intelligence. I spoke about that today. According to the Chief of Staff of the Army, the tea party shutdown is impacting the day-to-day operations of the United States Armed Forces. If the chief of the Army were not enough, the Secretary of Defense ridiculed what the House is doing. By the way, Secretary Hagel is a Republican.

I know my Republican colleagues are as concerned about the safety and security of the United States as I am. But they need to take a look at themselves and ask are they doing what is right for the safety and security of our country.

I am confident if they thought about it for a minute, they would like to mitigate the impact of the shutdown on intelligence gathering, the military, and a dozen other government agencies, as much as I do. A piecemeal approach to funding the government bit by bit is simply not the answer. Saying: We are going to pay you when we open this place is not the answer. Let them go to work.

No matter how many bites the Republicans take at the apple, there is only one bill that ensures every priority is met: the Senate bill to fully reopen the Federal Government.

Why are they doing this?

The Presiding Officer is a distinguished attorney from the State of Hawaii.

One does not need to be a distinguished attorney from any place to understand how brazen what they are doing is. They are saying: We are not going to do anything until you let us hamper a bill that has already been around for 4 years.

Hamper is an understatement. They are not willing to do anything unless they take a big whack with a meat-ax on ObamaCare. Already, since ObamaCare has been open, only on the Federal Web site, there have been 9 million hits in 4 days.

The priorities the Republicans have addressed so far are: Veterans, national parks, National Guard, and the National Institutes of Health are worthy. But there are many other needs that will go unmet and priorities that will be ignored without fully reopening the government.

Take, for example—I haven’t heard any speeches on the floor from my Republican colleagues about 1,300 rape crisis centers which rely on Federal funding to support victims of crime. They are losing their ability to stay open.

Unless the Federal Government reopens, organizations that advocate for victims of violence will be forced to close their doors or work without pay, and that is in a matter of a few days. Will the House Republicans pass a bill to help them?

I remember when we didn’t have all the domestic shelters we have now. I remember these women as I did domestic relations work. Oh, how sad. They had no place to go. Now they have a few places to go. We have domestic crisis shelters, and we have rape crisis centers, but the Federal Government is the one that supports those. The piecemeal approach of the House indicates that the needs of the people I just described would not be met.

The commander in chief of the Veterans of Foreign Wars, William Thein—I hope everyone here understands this is not some leftwing organization out there demonstrating against Democrats. The Veterans of Foreign Wars is what I have described it as, veterans of foreign wars. They try to stay as neutral politically as any organization in America.

William Thein, commander in chief of the Veterans of Foreign Wars, wrote to leaders in Congress this week and said:

We expect more from our elected leadership, and not a piecemeal approach that would use the military or disabled veterans as leverage in a political game.

He is right. Neither veterans, the military, hungry infants nor children with cancer should be used as political pawns. They should not be left out in the cold.

There is only one bill. It is the bill that Speaker BOEHNER asked me to get out of this Senate, and we did that. He needs to allow the House of Representatives to vote, and it would pass by a huge margin. That bill would fund all public priorities I have talked about, both to protect and economy and national security.

The Senate’s clean bill to reopen the government—the one the Speaker said he wanted me to get out of here—and I did it, but it was not easy. We have been waiting 1 week, but the Speaker could end this government shutdown before they go home Sunday. It was the Speaker’s intention all along to pass a clean continuing resolution. I believe that. But instead he was waylaid by this tea party-driven nonsense in the House of Representatives. He has refused to allow a vote on a bill that he proposed.

Republican Congressman CHARLES DENT said last night:

I do believe it’s imperative that we have a clean funding bill to fund the government. That was the intent of the Republican leadership all along, but obviously there were a few dozen folks in the House Republican Conference who weren’t prepared to vote for a clean bill, and that’s why we’re in the situation we’re in right now.

I say to the Speaker: Go with your first instinct. Pass a clean continuing resolution.

CHARLIE DENT said it was to pass and fund the government.

Here is what one House Republican, DEVIN NUNES of California said: The Speaker is taking his orders straight from the junior Senator from Texas. But the next move would be—and this is what is Congressman NUNES said yesterday:

You really have to call Cruz. I’m not even joking about that. That’s really what you have to do, because he is the one that set up the strategy. He’s the one that got us into this mess, and so we’ve got to know what the next move is.

Stop taking marching orders from the tea party, I say to my Republican friends in the House. All the Speaker has to do is find the courage to defy the tea party for the good of our great country.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for debate only until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The President pro tempore is recognized.

#### CONTINUING APPROPRIATIONS

Mr. LEAHY. Madam President, I thank the distinguished majority leader, not only for how he spoke out today, but also for the fact that he is strong on this issue. He also spoke about what this shutdown is doing to law enforcement.

As chairman of the Judiciary Committee, I am going to speak further on that. But I couldn’t help but think, as I was asked by a friend in Vermont: What is going on?

I said: Well, you know, we had hundreds of hours of committee meetings, votes, and all. We had hours and hours of debate in the House and the Senate, and we passed the Affordable Care Act.

Even though it passed the House and the Senate and was signed into law by the President, however, the Tea Party continues to oppose the law. So they did two things that they thought would knock it out. One, they went to a Republican dominated U.S. Supreme Court and said let’s knock out this law. The Supreme Court said no. They upheld the law.

Then they ran a candidate for President of the United States, whose main argument was that he would get rid of the Affordable Care Act.

He lost badly.

Throughout all this time and after 40 votes to get rid of the Affordable Care Act, the Republicans have not offered what we would get as an alternative? Most parents like the fact that their



children can stay on their insurance while they are in college. Are you going to get rid of that—and do they have something with which to replace that? Most people like the fact that if you have a preexisting condition, cancer, a heart condition, or something like that, they can still get health care. They want to do away with that. What do they have to replace this sort of care?

After 40 votes, a Presidential election, the Supreme Court—they have lost everywhere. It makes me think of General Custer at Little Big Horn who came galloping in because he knew he was going to win.

They have been handed the same kind of defeat that Custer was at Little Big Horn. And if they have a better idea on health insurance for America, then I think they should have the guts to bring it to the floor and vote up or down, not just shut down the government like they are doing now.

Today marks the fifth day of the government shutdown, and by refusing to pass a continuing resolution to simply fund the continuing operations of the Federal Government, Republicans are threatening the critical functions of all three branches of government. As chairman of the Senate Judiciary Committee, I am acutely aware of the devastating impact that Republicans' treatment of Federal judiciary is having on our system of justice.

The last time Republicans refused to pay the bills that we in Congress had already incurred, it undermined our Nation's credit rating. It also resulted in what is known as sequestration and the corresponding cuts to the Federal judicial branch have been devastating. But with the ongoing shutdown of the entire Federal Government, a handful of ideologues in the House of Representatives are holding the entire judicial system hostage and this threatens our entire democracy.

Earlier this year, in the face of sequestration, a group of 87 Federal district judges warned that sustained budget cuts "have forced us to slash our operations to the bone, and we believe that our constitutional duties, public safety, and the quality of the justice system will be profoundly compromised by any further cuts."

Now, thanks to the Republican shutdown, according to a letter to all Federal courts from Judge John Bates, Director of the Administrative Office of the U.S. Courts, the judiciary will only be able to remain open for approximately 10 business days into October. What will happen after those 10 days? What happens when the operating funds run out completely? Will we be able to swiftly bring criminals and terrorists to justice? There is no court to bring them to. Will small businesses and individuals be able to have their claims resolved? Again, no court. Each and every Federal court in this country will soon have to start making decisions about what part of justice is essential and what can be delayed until

funding is restored. If this shutdown continues, millions of Americans will not have access to the justice they deserve under our Constitution. Here in the United States, where we have the most open, transparent, honest, effective system of justice in the world, we are slamming the doors on everybody—Republicans, Democrats, and Independents alike.

This coming Monday, the first Monday in October, marks the opening of the new term of our Supreme Court. On its first day, it will hear an important case about a worker's right to bring an age discrimination claim under the Constitution. On its second day, it will hear another significant case about whether there should be any limits on the amount of money wealthy individuals can pump into our elections. If the shutdown continues, it is unclear how our courts, including our highest court, will cope with the funding being withheld. Will the Court remain open to the public to hear arguments the following week if this shutdown continues? Will local courthouses have to shut down entirely for parts of the year? Will the guarantee of defense for the indigent, established under *Gideon v. Wainwright*, continue to be eroded by further cuts to our Federal public defenders? Or will we in Congress finally turn the page on our fiscal mistreatment of a co-equal branch of government?

We must not take for granted that we have the greatest justice system in the world. Its cost is less than 1 percent of the entire Federal budget, yet we fail to support it. The New York Times, referencing Judge Bates's letter and the ongoing stress to our justice system, rightly noted this week that unless Congress ends this needless shutdown, "the damage to American justice would be compounded and hard to recover from once the impasse is over."

I thank the men and women of the judicial branch of our Federal Government for their dedication under increasingly difficult circumstances and I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 1, 2013]

#### THE COURTS AND THE SHUTDOWN

(By Dorothy J. Samuels)

The opening of a new Supreme Court term on the statutorily prescribed first Monday in October is always surrounded by a fair amount of drama having to do with the momentous legal issue the justices will be taking up. The government shutdown has imbued the start of the 2013-2014 term this coming Monday, Oct. 7, with a different sort of suspense.

A notice posted on the Supreme Court's website says the court "will continue to conduct its normal operations" through this Friday. It is silent about what will happen if the "lapse of appropriations," as the notice delicately describes the madness, continues beyond that. The court will be announcing its plans a week at a time.

It is expected, though, that the term's first oral arguments will proceed as scheduled,

shutdown or no, and that the court will conduct business as usual, much as it did during the Clinton-era shutdowns. How long Supreme Court operations could remain unharmed if the shutdown drags on is unclear.

For lower federal courts, a prolonged shutdown could be disastrous. Sufficient reserve funds are on hand for normal court operations for just 10 business days, through Oct. 15, according to a memo recently circulated by Judge John Bates, director of the Administrative Office of the United States Courts.

Once those funds are depleted, there would need to be extensive furloughing of staff, and reductions in probation, pretrial and courthouse security services to comply with the federal Anti-Deficiency Act, which allows only "essential work" to continue during a government shutdown. Coming on top of the devastation to the nation's court system caused by the maniacal across-the-board budget cuts known as sequestration, the damage to American justice would be compounded and hard to recover from once the impasse is over.

Mr. LEAHY. Madam President, I thank the men and women of our judicial branch who have stood up for this. But you know, our courts have been forced to run on fumes for far too long, and soon, they will be running on empty. I call on the House of Representatives to stop playing games with our co-equal branch of government, the judiciary.

This government shutdown is having a real impact on our lives and our country. Recently, there was a terrible bus accident and tragically people were killed. Yet the NTSB cannot even go down and investigate what happened so it doesn't happen again because they are closed. There are businesses in Vermont that have invested in their business and are prepared to open—one in particular, and I will speak later about this one next week—and all they need is a certificate from the Department of Agriculture in order to open. The business is poised to open and start making money, especially during tourist season, but the Department of Agriculture is closed and they can't get the certificate.

We also take for granted that our open and transparent government is a cornerstone of our democracy and a shining example of civic involvement. Even the public's right to know is compromised because of this shutdown. Every Member of Congress, regardless of political party or ideology, should be alarmed.

Right now, Americans seeking help with Freedom of Information Act, FOIA, requests encounter closed for business signs at many of the Federal offices that facilitate them. The National Archives and Records Administration Office of Government Information Services—a critical office established by the Leahy-Cornyn OPEN Government Act to mediate FOIA disputes—is not operating due to the shutdown of the Federal Government. And according to several press reports, the Department of Justice has also sought stays in several important FOIA cases—including FOIA litigation seeking information about the government's use of the PATRIOT ACT to



collect data on Americans' telephone calls—due to the lapse in Federal funding.

This shutdown has impacted other agencies, too. The Center for Effective Government reports that the processing of FOIA requests has been suspended at the Social Security Administration, the Federal Trade Commission and the National Labor Relations Board. The National Security Agency, an agency facing a public trust deficit in light of revelations detailing its sweeping surveillance of Americans' emails and phone calls, has also ceased the processing of FOIA and Privacy Act requests. Many other Federal agencies have either taken their websites off-line or stopped updating their websites. We literally have a closed government.

All of us—whether Democrat, Republican or Independent—have an interest in making certain that our government is fulfilling its responsibilities to its citizens. Yet, right now, House Republicans are choosing to debate again the nearly 4-year-old Affordable Care Act on a critical spending bill. Again, let us not forget that the act has been upheld by the Supreme Court and was a key issue in a Presidential election where the electorate in this country voted against the person who wanted to do away with it. They are forcing us to choose whether even the most fundamental parts of our government are "essential." Rather than picking and choosing, we in Congress must commit ourselves to upholding all of our democratic principles and ensuring the government's ability to work for every American. The House of Representatives can end this stalemate today by taking up the Senate passed CR, sending it to the President, and reopening the government, so we can get back to the business of finding a reasonable way to balance our budget and get our fiscal house in order.

It is important for that business owner in Vermont that the Department of Agriculture be open. It is important for our communities affected by criminals that our FBI remain open and fully functional. It is important to those who may have their children riding on a bus that we find out why this other bus accident happened and is it something that is going to happen again with a busload of children. But instead we have something akin to General Custer riding to Little Big Horn, claiming this is going to be victory, and I suspect that this will result in the same sort of defeat for those who seek to shut down the government for ideological reasons.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, this has been an interesting discussion for the last 37 minutes. It lacks a little bit of a preamble.

The reason we are in the situation we are in now is because Congress didn't do the spending bills when they were supposed to do the spending bills. We

have 12 spending bills. There is no reason we didn't spend 12 weeks, 1 week doing each of those for a period of 12 weeks. It is the second most important job we have. I think the most important job we have is national defense, but budgeting—spending—is the next biggest. If we had done one bill each week for the 12 weeks we needed to and had open amendments on them, there wouldn't have needed to be any of this discussion. Most of the things would have been resolved by now. They would have either won or lost, and that is what happens around here.

Except we are busy dealmaking instead of legislating. We don't allow amendments now. When a bill comes to the floor, there is a discussion between the two leaders to see how limited they can make the amendments. I try to only do relevant amendments. I wouldn't mind if that were the law around here. That is the law in the Wyoming legislature. Whatever the title of the bill is, your amendment has to be relevant to that. It helps to get through a lot of the process in a hurry. But we don't even bring them up.

I take that back. The leader did come to the floor and chastise me for forgetting we had the Transportation bill brought up on the floor. We didn't get to do amendments on it, and when we didn't get to do amendments on it, our side said nuts to finishing that right now. The leader could have brought it right back and showed we were not interested in doing transportation. He talked about us not being interested in transportation, but that was not the case. There were amendments that needed to be done to the Transportation bill.

That is 1 bill out of 12. What happened to the other 11? If we had done the bills timely, we wouldn't be in a continuing resolution. What is the matter with a government that can't operate like a business and have a preplan for what is going to happen if this tragedy does happen? We don't have any plans like that. What we do is stand and chastise each other for not having plans for what is happening. That is wrong. We shouldn't be doing that. We should be getting our work done in a timely manner, and we should be doing it through legislation, which means allowing amendments on the floor.

Yes, I know there are some amendments I wouldn't want to vote on. There are some amendments the other side wouldn't want to vote on. But that is what we signed on for. We have to vote on the amendments and get the process done, but we are not doing that.

As to the shutdown, I wish to share what actually wound up as a guest editorial from a guy named Bill Johnson who lives in Pinedale, but he got his guest editorial in the Powell Tribune, which is quite a ways away from there. He is an old truckdriver, and he said he is tired of pulling the load; that it is time for a producers' shutdown. Whoa.

I wouldn't verify his math, but this is the way he sees it.

He sees that there are 11 people taking money out of the pot and thus riding on the wagon. That leaves nine people paying the taxes into the pot and thus pulling the wagon. "A bad ratio indeed!"

He says: Now government people "will tell you they pay taxes, but let's not forget that all their wages first come out of the pot." Government people "don't create wealth. They spend the wealth!" Now these same government people "are enjoying quite a party."

We hear them bragging about the following:

"We have better pensions and wages.

"We have paid sick days, cheaper medical insurance, free vehicles. . . ."

We get paid when the government shuts down and we come back to work without having worked.

"Some States pay \$15 an hour on welfare, so why work?"

They say a government agency's success is measured by the size of its budget. There's no incentive to cut a budget!

"They say if a tax-paying 'person' is successful, it's because 'the government people' have helped him!"

They ask, "How can we raise the tax-paying 'people's' taxes again?"

We need more money for raises and Obamacare. Work harder, please! We'll take care of the rules and the regulations.

I ask unanimous consent to have printed in the RECORD this entire article.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Powell Tribune, Sept. 26, 2013]

TIRED OF PULLING THE LOAD?

TIME FOR A PRODUCERS' STRIKE

(By Bill Johnson)

We now know that there are 11 mules taking monies out of the pot and thus riding on the wagon. That leaves nine mules paying taxes into the pot and thus pulling the wagon.

A bad ratio indeed! Now government mules will tell you they pay taxes, but let's not forget that all their wages first come out of the pot. Government mules don't create wealth. They spend the wealth!

Now these government mules are enjoying quite a party. We hear them bragging about the following:

"We have better pensions and wages."

"We have paid sick days, cheaper medical insurance, free vehicles, blah, blah, blah."

"Some states pay \$15 an hour on welfare, so why work?"

They say a government agency's success is measured by the size of its budget. There's no incentive to cut a budget!

They say if a tax-paying mule is successful it's because we government mules have helped him!

They ask, "How can we raise the taxpaying mules' taxes again? We need more money for raises and Obamacare. Work harder please! We'll take care of the rules and regulations."

If this were a 30-year-long football game, the score would be about 99-7. Heck, the taxpaying mules can't even get their feet on the ball!

Our once great Uncle Sam is like Humpty Dumpty sitting on his wall. He's waiting for an earthquake, war, or market crash to cause his great fall!

So what can we do? The non-violent answer is simple! When the time comes, just quit pulling on the wagon. Take a three- to five-day vacation instead.

This means: Truckers don't truck. Trainmen don't train. Pilots don't plane. Miners don't mine. Marketers don't market. Bankers don't bank. Groceries don't go and pipelines don't flow!

This scheduled vacation for our nation's producers, the taxpaying mules still pulling the wagon, ought to be nationwide. That will never happen.

However, our friends in Utah, Idaho and Montana might join in. So might Moffat County and the seven other counties that wish to secede from Colorado. Same goes for Nebraska, Kansas, Oklahoma and Texas. Get the picture?!

It is amusing to listen to all the hoopla about potential government shutdowns. Big deal! Remember the scene in "Crocodile Dundee" when the would-be robbers pull a knife? Mr. Dundee says, "That's not a knife, this is a knife!"

That's what a producers' strike would look like!

This is the way to cut government spending, lower your tax rates, and shove some government mules off the wagon. We would score a few touchdowns and give them a list of the peoples' demands.

The path we are presently taking will only lead to the death of our country. Our intentions are to save the USA. We all want government of the people, by the people and for the people!

"All that is necessary for evil to triumph is that good men do nothing"—(Edmund Burke.)

Mr. ENZI. Continuing from Mr. Johnson's article, he asks, "So what can we do?" Here is his answer:

The nonviolent answer is simple! When the time comes, just quit pulling on the wagon. Take a three- to five-day vacation instead.

Take as long a vacation as the government takes. This means that farmers will not farm, stores will not open, manufacturers will not manufacture, powerplants will not produce power—and continuing his article:

Truckers don't truck. Trainmen don't train. Pilots don't plane. Miners don't mine. Marketers don't market. Bankers don't bank. Groceries don't go and pipelines don't flow!

That is what would happen if we had a shutdown of the private sector, the ones that are carrying the load. He says this scheduled vacation for our Nation's producers, the taxpaying people still pulling the wagon, ought to be nationwide.

Of course, he knows that will never happen, but he hopes people get the picture.

Continuing his article:

It is amusing to listen to all the hoopla about potential government shutdowns. Big deal! Remember the scene in "Crocodile Dundee" when the would-be robbers pull a knife? Mr. Dundee says, "That's not a knife, this is a knife!"

And, remember, he pulls out his near machete? He says:

That's what a producers' strike would look like!

"This is the way to cut government spending, lower your tax rates, and shove some government" people "off the wagon."

We would score a few touchdowns and give them a list of the people's demands.

So that's the view of the trucker in Wyoming, and he gets to think about this a lot as he drives miles and miles and miles and miles. It is a long way between towns. But he is pointing out that our government is being weighted down with a lot of different things, not just people's salaries with growing government—each of those adds to the need for a tax increase—but we are also weighted down with the interest load. If the interest rate goes up, that wagon load is going to get mired in mud.

He mentions the rules and the regulations. Paperwork alone kills jobs. It eliminates people who could pull the wagon, and government growth and benefits add to the weight of the wagon.

So we are in a shutdown, and what has happened? The government has shut down some of its revenue centers—the national parks. People drive through those and they pay to drive through those. There are hotels and restaurants and things. There are concessionaires in there, and they pay a fee for the right to do that, and they collect money for the Federal Government. They are not having any customers. It is hard to be a business and not have a customer. But we have forced that on them with supposedly shutting down a revenue center for us. People actually pay for that.

The sequester. We made it hurt because there was no preplanning. Now we have the shutdown and we are making it hurt with the barricades and closing the national parks and all the other things that got mentioned out here, but it is because of no preplanning.

Incidentally, when we talk about ObamaCare and no plan, I had a plan before President Obama became a Senator, a 10-step plan that would have done more than the present bill does.

I worked with Senators COBURN and BURR on a substitute bill which would have done what the President promised would be in the bill but is not in the bill. But there were 60 votes on the other side of the aisle, and with a few special deals the 60 votes carried the day and we are stuck with what will be a train wreck—and then we will get what the Democrats have always wanted, which is single-pay, universal service through the government.

But I have a plan for fixing this debt load, pulling the wagon a little easier. It is called the penny plan. Originally when I introduced the penny plan, which is eliminating 1 penny out of every dollar the Federal Government spends, it had to work for 7 years in order to balance the budget. We need to be on the downtrend. Seven years wouldn't be so bad. But with the sequester, that turns out to be 2 years and we would have a balanced budget. We go a couple more years and pay down some of this debt we have. The debt keeps me awake nights. That is less than a 10-percent total decrease in

what we are spending right now. Businesses have to make that kind of a change sometimes in less than 1 year, and sometimes it is painful the way they have to do it. If we have more time—and 2 years could be quite a bit of time—we ought to be able to plan our way out of it.

So let's quit spending, let's cut up the credit cards. That is the debt limit we are coming up with, that is the credit cards. We could allow for a little bit of use of the credit cards—as long as there is a plan for how we are not going to need the credit cards anymore. And that would be the penny plan. So I hope we would all take a look at it.

I do feel sorry for the 8 million Federal employees who I know work hard.

The PRESIDING OFFICER. The time has expired.

Mr. ENZI. That is a lot compared to the ones pulling the wagon.

I will have some more comments on this later because it is a major crisis, but it didn't need to be a major crisis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Madam President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Is there objection?

The Senator from Wyoming.

Mr. ENZI. I ask unanimous consent that an extra 5 minutes be added to our side later.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. MARKEY. Madam President, we need to bring this government shutdown to an end, and the way to do that is for the House of Representatives to pass the bill for a \$986 billion budget to run the government for 1 year which JOHN BOEHNER and the Republicans in the House of Representatives asked the Senate to pass. That is the number they wanted. That is not the number the Democrats in the Senate wanted.

They wanted \$986 billion to run the government for 1 year. That is the budget we sent over. They will not pass that budget. So now we have a situation where we should be negotiating over health care, over environmental issues, over other issues because the budget has been passed—but, no. They are going to hold the entire country hostage.

Consider where our country stands right now. When George W. Bush left office, the Dow was at 7,900. It is now above 15,000. At the height of the great Bush recession, unemployment peaked at 10 percent. It is now at 7.3 percent. Our deficit has been cut in half. We are making progress. But we are not there yet. Many Americans continue to struggle.

As our country climbs back from the worst economic crisis since the Great Depression, the tea party Republicans are sending America into reverse. The

tea party Republicans shut down the government. They are putting our economic recovery at risk. They are signaling to the world that America cannot perform the most fundamental job of government—passing a budget.

In the alternative, the tea party Republican universe they have created here has the tea party demanding that we fund health care research while simultaneously trying to end health care coverage for millions of Americans; to pay for our troops but sideline the intelligence agents who keep us safe from terrorist attacks; and claim to defend the Constitution but shut down the building where it lives and breathes. This tea party Republican logic is tying our country in knots, and it makes no sense.

Although the government shut down at midnight this past Monday, the seeds of the shutdown were sown years ago. This shutdown is the product of more than a decade of disdain for the democratic process waged by the tea party Republican party that is increasingly out of the mainstream. When the Republican Party started losing congressional seats, they redrew electoral maps in their favor and passed laws to suppress American voters they had alienated. And when a historic bill was signed into law to finally make health care a right for millions of low-income Americans, a law that was upheld by the Supreme Court, a law that opened for business on Tuesday, the response of the tea party Republicans was to shut down the entire government.

At the core of this tea party Republican ideology is the idea that the democratic processes our country runs on can be dismissed, that they can be manipulated, that they can be contorted to cater to the privileged at the expense of the poor, the vulnerable, and the disenfranchised of our country.

This isn't about the Republican Party versus the Democratic Party. This is about tea party Republicans versus democracy itself. The essence of American democracy has been our ability to govern by majority rule while respecting minority rights. Our system is inherently designed to enable compromise and avoid the divisiveness of ideological extremists.

I know about these tea party extremists. I served in the House of Representatives with them. They live by the Republican tea party paradox: They hate the government so much that they have to run for office in order to make sure the government doesn't work. And now there is a new Republican tea party paradox: They want to pay Federal employees not to work while blocking the legislation that will put them back to work. The Democrats are fighting to open the government so Federal employees can return to work and can earn their pay, not pay them for not working. That is the new Republican paradox.

The tea party Republicans have a three-step plan. No. 1: Deny democracy. Tea party Republicans ignore the

fact that the Affordable Care Act passed the Congress, was signed by the President, and upheld by the Supreme Court. Tea party step No. 2: Manufacture a crisis. The tea party Republicans shut down the government and put our country on the brink of default, because they refuse to accept the fact that the Affordable Care Act is the law of the land and the American people reelected President Obama. Step No. 3: Turn out the lights. Just shut down the government.

What is at stake if the Affordable Care Act is repealed? Without the Affordable Care Act, for women everywhere in America the agenda will go back to being a preexisting condition. They could be charged higher insurance rates because they are women. For families everywhere in America, the threat of personal bankruptcy will return, caps on insurance benefits will be reemployed, and medical bills will once again lead to personal bankruptcies. For a young college graduate struggling to find a job, their parents' plan is no longer an option. For a low-income family who has spent years taking their kids to the emergency room instead of regular doctor appointments, it will mean more late nights in emergency waiting rooms.

Who else will be harmed if the tea party Republicans continue to refuse to expand the Medicaid Program in their respective States, the expansion that is a key part of the Affordable Care Act? The answer is two-thirds of the country's poor, uninsured African-Americans and single mothers, and more than half of the low-wage workers in the 26 States where Governors have turned down Federal funds to expand Medicare.

Let's take Texas, for example. Texas currently has the highest concentration of uninsured Americans in our country—6 million people. Many live in poverty. Under the Affordable Care Act, every State has a choice: It could give the poor and sickest and neediest of its citizens health care coverage through expanded Medicaid paid for entirely by the Federal Government or it could say, no, thanks, and leave these poor people, these uninsured people, in a state of uncertainty. Texas turned down cold more than \$100 billion in Federal funding over the next decade, denying health care coverage for the 1.5 million Texas residents who live in poverty.

That is what the tea party Republicans are fighting for—to not take the money to ensure that the poorest people get health insurance. That is what it is all about. That is what they are fighting for. They believe they have a right to say, no, we are not going to cover these poor people. No, we are not going to give them insurance. That is their right—they should have the freedom to deny all these people that health insurance. And 26 other States, all with Republican Governors, did the very same thing. Every State in the Deep South but Arkansas said no.

There is an ancient Greek proverb that says the world will know true justice when those who have not been harmed are as angry as those who have been harmed. You can see all across America people are angry. People who have not been harmed are angry about those who are being harmed by what the Republican tea party is doing here in Congress. That is why everyone in America wants this shutdown ended. They know that eliminating the Affordable Care Act would gravely harm the poor in our country, the children, the working families. Not since the Great Depression have so many Americans suffered from such severe economic problems. There are 46 million Americans living in poverty today. That is \$23,000 a year for a family of 4. The poverty rate for African Americans is 27 percent, for Hispanics it is at 23 percent. There are almost 50 million people in our country at risk of not having enough food. Sixteen million children live in poverty in the United States as we stand here today. There are more than 11 million Americans out of work, 13 percent unemployment for African Americans, 9.2 percent for Hispanics, and it is too high for Whites, for Asians, for Native Americans—for everyone in our country.

Behind each of those numbers is a name, each of those statistics is a story, each of those figures is a face and a future that is at risk.

Behind each furlough is a Federal worker who has a vital job not being done. Somewhere in Georgia in the midst of the flu season there is an employee of the Centers for Disease Control who is at home instead of stopping a flu outbreak at a local elementary school. Somewhere in Florida is an FDA employee who was shut out of his job inspecting fish imports for toxic contamination while a mother shops at the local grocery store picking up salmon for dinner. Somewhere in the gulf coast there is an oil rig safety officer catching up on their chores at home instead of stopping the next potential BP spill before it happens. Somewhere in Boston a doctor has now put on hold a clinical trial to bring a new treatment to children born with a rare form of heart disease while a mother in Milwaukee holds her sick newborn, wondering if a cure could ever be found. Somewhere in Massachusetts a civilian military employee tasked with developing the best in protective gear for our soldiers is barred from entering his military base while abroad a soldier takes fire on the front lines. And here at the Capitol there are police officers who threw their bodies in between the public and a threat just this week, doing so without even receiving a paycheck.

This government shutdown is just a preview of coming attractions. If Republicans force us to default on our debt, millions of jobs could be destroyed. We could go from a shutdown of our government to a meltdown of our entire economy.

We won't be blackmailed, we won't be threatened, we won't back down, we won't give up. We will stand and we will fight. We will fight for the families who have dreamed of the security of health care, we will fight for the Federal workers who deserve a paycheck, we will fight for the working families reaching for the American dream. Because—make no mistake—what is at stake here isn't just health care, it isn't just a functioning government, it isn't just the stability of our economy. What is at stake is the future of our democratic system. Because you can shut down the government, you can engage in revisionist history and revise the rules to fit your ideology, but the American people will rise up—and they are rising up—to say put America back to work. They will not let the tea party Republicans stop the progress of our country. They are going to demand justice. They are going to demand that the shutdown end and the spirit of the American people be recognized.

What we need to do is to get the government back to work for the American people. The Senate has to send the House a bill that will end the shutdown. The House should schedule the vote for this bill immediately. It will pass. We should not be cutting the National Institutes of Health, which is working to find the cure for cancer, for Alzheimer's, for Parkinson's and other diseases that devastate.

We should not be keeping our civilian defense workers off the job. We should be coming together to create jobs to build better futures for all Americans. We should make sure America pays its bills and does not default on its debts. We need to raise the debt ceiling. Now is the time. Let's get to work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, someone wisely declared: After all is said and done, much more is said than done. A lot has been said in the well of this Chamber this week. Unfortunately, not much has been done. On the other hand, Speaker BOEHNER and Majority Leader CANTOR and the Members of the House of Representatives, including Members of both political parties, have done much to end the shutdown and to protect the American people. The House has passed bills that would fund veterans' benefits and fund the National Institutes of Health. The House has also approved measures to make sure our National Guard gets paid and to keep our national parks open. The House funded WIC, the program that provides health care and nutrition for low-income women and their children. The House has funded FEMA. Moreover, all of these bills have been passed with significant bipartisan support in the House of Representatives.

At the risk of overstating it, I am still frankly stunned at what we are hearing from some of my colleagues. It is difficult for me to understand their objections to passing these bills in the Senate.

First, none of these bills is controversial—not one of them. The bills provide funding for noncontroversial things such as veterans' disability payments, the GI bill, and cancer research. These bills keep our national parks open and make sure our National Guard personnel get paid. There are many things on which Republicans and Democrats disagree, but whether to take care of our veterans should not be one of them, and the last I checked it was not one of them.

Second, the President himself asked Congress to do this. Republicans in the House took the President at his word and acted immediately to draft bills that would make sure his priorities and the Nation's priorities would receive funding. In response, Senate Democrats said that this plan to fund veterans, national parks, and other priorities was unserious. They said Republicans were playing games.

The biggest head-scratcher of them all: the President issued a veto threat for bills that fund the very things he said he wanted funded. Why will the President and why will Senate Democrats not take yes for an answer? Why are they demanding that we fund everything? They tell us: You have to fund everything or we will allow you to fund nothing.

Third, all of these bills received significant bipartisan support in the House. In the middle of a government shutdown, surrounded by all this divisive rhetoric, Republicans and Democrats came together in the House overwhelmingly to approve these bills. I think we owe it to the country to show we can do the same in the Senate.

Fourth, this approach, the approach that has been advocated by the House of Representatives, represents a path forward that was first introduced by none other than the distinguished Senate majority leader himself. On Monday afternoon Senator HARRY REID asked for unanimous consent to pass a bill that ensured that our Active-Duty military personnel would be paid in the event of a government shutdown, and in a matter of minutes it was passed. I ask my friends across the aisle: Was Senator REID playing games? Was that unserious? Of course not. So why is it unserious when we try to fund veterans' disability payments or cancer research or the National Guard or national parks? Why is it all of a sudden playing games to keep our national parks open? What exactly has changed since Monday? Why can we come together to pass a bill funding military pay but not to fund veterans' disability payments?

Finally, none of these bills have any connection to the implementation of ObamaCare. I understand my friends across the aisle support that law despite its numerous and harmful failings. I understand they want to protect it. But none of the bills we are considering relate in any way to the implementation of ObamaCare.

I am concerned that my friends across the aisle cannot see this law for

what it is and what it is already doing to American families all across the country. Now the government is shut down because Democrats have refused to work with us to do anything to protect the American people from the harmful, potentially devastating effects of ObamaCare. They will not even consider passing bills to fund veterans' benefits, cancer research, or national parks unless ObamaCare is fully funded and fully implemented. We have an obligation to address the negative effects of this law, but the Democrats refuse to negotiate.

The President has issued a veto threat on funding for things that he himself asked Congress to fund because the bills do not include ObamaCare funding, even though the programs funded in these bills have nothing to do with ObamaCare. I fear that the Democrats are now simply the ObamaCare party. It is the only thing that matters to them even though it is hurting people throughout the country already and threatens to do so far more in the coming months.

A recent report included a story of a man named Tom, Tom from Seattle, who signed up with the exchanges only to find out that his health care costs were going to skyrocket under ObamaCare. I will quote from the story.

Tom of Seattle, who is self-employed, said, "My premiums would increase approximately 61 percent. I went from \$891 a month to \$1,437 a month. And also my deductibles all doubled."

The letter from his insurer said his current deductible for his family of five would double from \$4,000 a year to \$8,000.

Even though that is for the Bronze Plan, the least expensive option under ObamaCare, he says his additional payment of \$550 a month will give him a plan that is no better than what he already has.

What's more, it also carries a benefit his family does not need: maternity and newborn care.

"My wife is 58 years old and our youngest child is soon to be 18," says Tom. "We'll be having no more children. That is not a benefit that we would ever purchase nor need or be able to use."

These are the kinds of people we are trying to protect from this law. This is just one story among many stories.

I ask my friends: Join us in ending the shutdown. Join us in protecting the country from ObamaCare, and let's do the right thing for the American people. Leadership is not about what is said; leadership is about what is done. So I invite my colleagues to join House Speaker BOEHNER and Majority Leader CANTOR and the other House Members who are leading. They are leading by doing. We can and must lead. We can end the shutdown and simultaneously protect the American people from the harmful effects of ObamaCare. We can do this. We must do this. If we stand together in support of the American people, we will do this.

Mr. WHITEHOUSE. Will the Senator yield for a question?

Mr. LEE. Yes.

Mr. WHITEHOUSE. Through the Chair, I inquire whether, in evaluating

the relative activity of the Senate and the House in trying to bring this shutdown to a conclusion, the Senator would not concede that the Senate has repeatedly voted on House-passed measures? We have taken them up, stripped out extraneous language, and sent them back. We have tabled them. We have over and over done our constitutional duty and voted. The Senator might not like the way the vote came out, but does he concede, A, that we voted on House-passed measures, and B, that the Speaker of the House has never yet called to the floor a Senate-passed measure and had a fair vote on the House side of the aisle?

Mr. LEE. In response to the question posed by my distinguished colleague, my friend from Rhode Island, yes, I will acknowledge that we have taken votes—some votes in response to many of the pieces of legislation enacted within the House of Representatives.

Mr. WHITEHOUSE. And that the House never reciprocated by taking up a Senate-passed bill?

Mr. LEE. The House has not voted on all the things passed by the Senate just as the Senate has not voted on all the things passed in the House.

Mr. WHITEHOUSE. My question was not whether the House voted on some, not all. I think the fact is that the House voted on nothing the Senate passed; they have done nothing but tee up political votes to send over to us.

Mr. LEE. That is not accurate. The House of Representatives has voted on things, sent them back in the form of messages, with some of those messages carrying two amendments that we considered. I see the Senator's point. It is a valid one in that we have had action taken in both Houses. We have had votes cast in both Houses.

It is important, however, to recognize that Republicans have offered significant elements of compromise in all of this. Republicans started from the standpoint that what they would like is repeal of the law. Understanding that is not possible under the current circumstances, they sought first to defund ObamaCare indefinitely. They sought that first. That was stripped out. That went back to them. They responded with a significant compromise offer in the next go-around to defund it for a period of 1 year. That was sent back, that was rejected.

There have been other elements since then that have been passed to fund parts of government. Recognizing there are a lot of areas in government spending as to which there is broad bipartisan, basically unanimous consent in both Houses, in both political parties, that we ought to be continuing to fund those things at those levels, they have acted in those areas, and the Senate has so far refused to go along with those. So, in the spirit of compromise, it would be helpful if we act on those. In the spirit of compromise, it would be helpful if the Senate would act on those aspects of legislation as to which there is broad-based bipartisan support.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Madam President, my intention coming here was to help solve problems, to find common ground, to work together with colleagues from both sides of the aisle. That is my history, and, in fact, that was my primary motivation for running, for stepping into the shoes of my illustrious predecessor, Olympia Snowe of Maine. In fact, that is what we did this summer on student loans when a small bipartisan group of Senators worked together to find a compromise, work it through both sides of this body, both parties, then through the House and then get the signature of the President. We got 81 votes in the Senate and 392 in the House. That is what I want to try to do. That was a validation of what I am here for.

This situation we are in now cries out for resolution. It cries out for finding common ground, for compromising, getting everybody back to work, getting the government shutdown over. So why are we not doing it? Why aren't we out cutting a deal? Why are we not out compromising?

I talk to my colleagues here in the Senate on both sides of the aisle, talk to House Members, both Republicans and Democrats, and there are lots of options. In fact, the House has sent us a series of options. The first one was essentially to defund—effectively repeal the Affordable Care Act, then it was to delay the Affordable Care Act, then it was to delay a part of the Affordable Care Act. But the important thing about these options and this discussion is that it is all taking place in the context of a government shutdown. That is not where negotiations should be made. That is not where negotiation and discussion should be had, when essentially the government has been shut down and one side is saying: We won't allow the government to operate unless you give us what we want on a substantive piece of legislation.

This is the problem. This is why I think in this one case negotiation really is not the right course. It is a process problem, it is a practical problem, and I believe it is a constitutional problem. It is perfectly appropriate to negotiate budgets. As a Governor, I did it four times for biennial budgets and innumerable supplemental budgets, and it is perfectly appropriate to negotiate up to the deadline—lots of late nights. That is when this work, for some reason, seems to get done. But in the context of budgets, of negotiating the most fundamental governmental document, you negotiate about numbers, about details, about allocations. You don't negotiate about entirely separate substantive pieces of law.

In fact, that happened 1 month ago right here when Leader REID and Speaker BOEHNER negotiated a continuing resolution on what the numbers should be, and it was a hot and heavy negotiation. The leader compromised. He said: Let's go forward be-

cause we can do this cleanly with a continuing resolution at a lower level than the Senate Democrats felt was appropriate than what was in that budget that was passed earlier this year.

But that is not what is going on here. We are not negotiating about the dollar amounts of the budget or the details or the allocations, such as how much will be allocated to defense or how much will be allocated to Head Start. This is an attempt to rewrite a major piece of substantive law through holding the government hostage, which is a result that cannot be achieved through the normal democratic and constitutional processes. That is the core of this current situation, and that is what is bothering me about it. I don't mind negotiating budgets. I do think we shouldn't use the threat of a government shutdown—or now the reality of a government shutdown—to obtain legislative and policy benefits that we can't otherwise obtain through the normal constitutional process. In a very real sense, this is a frontal assault on the Constitution itself.

Ironically, it is being led by many of those who wrap themselves daily in the Constitution. I don't have one of those books, but we all know those books, such as, "How a Bill Becomes a Law." I can guarantee you can read those books until, as my father used to say, the spots come off, but I guarantee there is nothing in there that says if all else fails, hold the government hostage and then you can make a law. That is not what it says.

My wife Mary got me a book when I was first elected called "Congress for Dummies." Even in "Congress for Dummies," it doesn't say you can make laws, change laws, rewrite laws in the context of holding the country hostage. It is an attempt to create an alternative process, a new shortcut way of achieving political ends without having to deal with those pesky elections.

Here is the electoral history of this bill: In 2010, the Affordable Care Act was passed in the early summer. There were elections in 2010, and, indeed, the Republicans gained substantial seats in the House probably because of concern about the Affordable Care Act. I will concede that. But the Senate didn't turn over. By the way, that is the way the Framers planned it, and that is why there are 6-year terms, so public passions in one electoral cycle don't entirely change the government.

Then there was another election in 2012. In that election, in which the Affordable Care Act was a major factor, Democrats gained seats in the House, gained seats in the Senate, and the President, whose name is attached to the bill, won by 5 million votes.

In my election in Maine in every debate—and goodness knows there were probably over 20 of them—my Republican opponents started the debate by saying: I want to repeal the Affordable Care Act. That was the whole mission. I defended it—not in every detail because I think it needs to be fixed—and

I won that election and here I am. Mr. Romney said: I will repeal ObamaCare on day one, but he lost.

Here we are, in effect, trying to effectuate that agenda—that policy position—through an alternative process that skips around those annoying elections. The passionate opponents of this act are acting as if those elections didn't happen.

Let's be clear about what this is: This is one faction of one party in one House of one branch trying to run the entire U.S. Government.

That is not the way our Constitution is supposed to work. I am confident of that statement because from talking to my friends in the House, I believe it is highly likely that if a clean continuing resolution—that means one without any strings, without any political baggage, without any repeal of the Affordable Care Act—went before the House today, tomorrow or Monday, it would pass. With most of the Democrats and enough Republicans to achieve the majority, the bill would pass and all of this would be over.

Yesterday, Speaker BOEHNER said two things that I think were important. One I agree with and one I don't. The one I agree with was when he said this isn't a game. It is not a game. It is it deadly serious. It is deadly serious because of the impact this shutdown is having on our country. It is having a serious impact on people throughout the country and in Maine.

Let's talk about this from a national standpoint. Approximately half of the civilians in the Department of Defense and 70 percent of our intelligence agencies' personnel have been furloughed. Air squadrons have been grounded, there are people who are not being trained, and our defense industrial base is already suffering.

In Maine we have 1,500 people on furlough at the Portsmouth Naval Shipyard and more coming at Bath Iron Works. Almost half of our National Guard people are on furlough.

This is not a game. But all of this is being done in the name of effectively repealing or crippling the Affordable Care Act. Even if they don't think it is a good law, this is not the way to go about dismantling it. It is not the way our Constitution is designed.

Why won't we even negotiate? Why aren't the Democrats negotiating on this and maybe nick the Affordable Care Act? It reminds me of a story of a city guy who came up to a farmer in Maine. He said: I like the looks of your land. I would like to buy your farm. The farmer said: It is not for sale. The city guy said: How about the 50 percent on the river, I would like to buy that. The farmer said: It is not for sale. The city guy said: How about just the quarter acre where your house is on the road? The farmer said: It is not for sale. Then the city guy says: Why won't you negotiate? Because it is not for sale.

This is not the place or time to negotiate. Listen, I think there are prob-

lems with the Affordable Care Act. I would love to sit down in good faith with people and try to fix them—starting with making the Web sites work better. But I think the way to do that is not in the context of the government being held hostage.

Here is the real problem: If we do it now, this will become the normal way we legislate around here. This is a 6-week continuing resolution. So we nick the Affordable Care Act in this one, then next time it is going to be, OK, we will take another nick.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KING. Madam President, I ask unanimous consent to have 4 more minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KING. I am afraid this will become the normal way we do things around here. Police, intelligence people, and military officers tell us they don't negotiate with hostage-takers, and the reason they don't is because they would empower, enable, and ensure it will happen again, and that is what worries me.

Our constitutional system has two principles in tension; one is governing and the other is checks and balances. Governing is to establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare; and, of course, checks and balances is the rest of the Constitution so we are not abused by our government. If we take away the governing part, which is what the budget is, nothing is left but checks and balances. The Framers thought of this.

Madison in the 58th Federalist addressed it directly. He said: It might be a good thing to have minorities have additional power above a quorum. He then said:

But these considerations are outweighed by the inconveniences in the opposite scale. In all cases where justice or the general good requires new laws to be passed, or active measures to be pursued, the fundamental principle of free government would be reversed—

By minority rule.

It would no longer be the majority that would rule: the power would be transferred to the minority.

Lincoln put it much more succinctly:

If the minority will not acquiesce, the majority must, or the Government must cease. There is no other alternative, for continuing the Government is acquiescence on one side or the other.

That is what is at stake—governing. I understand the opposition, although I frankly don't fully understand not wanting people to have health insurance. I understand the passion, and I understand the attempt. I think the Speaker is a good man, and he wants to do the right thing.

I understand the need to get something and win something in this weird atmosphere where everybody has to win or lose. They gave it their best

shot. It didn't work. Let's move on. Let's have a clean vote in the House so the American people and the world know we still know how to govern. I want to talk, I want to negotiate, and I want to solve problems but not at the expense of this institution, not at the expense of the Constitution, and not at the expense of the American people.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from South Dakota.

Mr. THUNE. Mr. President, yesterday the White House said it is "winning" the shutdown debate, and that it is "not concerned" how long the shutdown lasts.

The Democrats may be content with playing political games. The Republicans remain focused on finding a solution to reopen the Federal Government. When the White House says it is winning—maybe winning the political debate or winning the political game, if you will—it is the American people who are losing.

The Obama administration said yesterday it would support a measure providing retroactive compensation to furloughed Federal workers. Yet it continues to oppose funding for the National Guard and Reserve, veterans services, nutrition assistance for low-income Americans, FEMA, lifesaving medicines and cures at NIH, and the national parks and museums.

What I would simply say is that there are bills that have been sent here by the House of Representatives that are available to be picked up by the Senate at any time. We could fund all of those various things right now. The bills are from the House. All we have to do in the Senate is to pick them up and pass them, and there wouldn't be any objection on this side of the aisle.

We could fund the National Guard and Reserve, we could fund veterans services, we could fund nutrition assistance for low-income Americans, we could fund FEMA, we could fund lifesaving medicines and cures by funding NIH, and we could fund the national parks and museums. It is that simple.

Our colleagues on the other side consistently talk about this particular program that is not being funded or this particular Federal issue that is not being addressed right now in terms of funding. It can all be solved that easily.

All they have to do is pick up the bills that have come over to us from the House of Representatives and pass them right now without objection on the Republican side, and all of these things that are being talked about could be funded. It is that simple and that easy.

I hope in the end there would be some colleagues on the other side who would agree with us that that is the simplest way to deal with the immediate crisis. We obviously have other issues at work and at play that will be discussed. I wish to talk about one of those in just a minute, but in the meantime, if we



are concerned about some of these important programs that are not being funded, we can do that right now. We can take care of the things that benefit people in this country, such as, the people who defend us, the National Guard and Reserve, and the people who want to see our national monuments and parks open. We have heard stories about how those are not available to people across the country. It is very simple. Pick up the bills and pass them right now.

What I would like to talk about, in addition to getting the government back up and running, is doing something to address our Nation's debt. We find ourselves now on the fifth day of a partial government shutdown that—from my perspective—was completely avoidable. We know the government shutdown is only one of the challenges we are currently facing. The Treasury tells us we are going to be reaching our debt limit in the coming days, which astonishingly stands at almost \$17 trillion.

As we look at the near future, we need to address the debt limit, and we need to end this partial government shutdown. I think it is unavoidable. Those two issues have sort of converged and come together. At one time, we were going to be talking about addressing one and then subsequently dealing with the debt limit. Now it looks as if those are all going to be one big debate and discussion.

What I am perplexed about is our friend on the other side of the aisle and the President who continue to insist they are not going to negotiate on those issues. When the people of South Dakota sent me to Washington, they did so with the expectation that I will continue to stand for their values. They also know that when it comes to governing, there will be differences of opinion. Oftentimes that means we are going to have to sit down together with people on the other side of the issue to find common ground.

But to say it is my way or the highway is not the way to approach these issues. These are issues that are important to both individuals and our economy, and they just can't say we are not going to negotiate. That is not a viable or a reasonable position in the eyes of the American people.

To put a fine point on that, earlier this week the majority leader was quoted as saying:

The president said he's not going to negotiate on the debt ceiling. He's not going to negotiate, we aren't either. It has never happened in the history of the country.

At the end of last week while the President was out giving political speeches, instead of engaging with Congress to solve these issues, the President made this statement:

And that's why I said this before. I am going to repeat it. There will be no negotiations over this.

That is the President of the United States.

There will be no negotiations over this, reiterated by our friends on the other side of the aisle in the Senate.

Mr. WHITEHOUSE. Would the Senator yield for a question?

Mr. THUNE. I would be happy to yield when I have concluded my remarks, on the time of the Senator from Rhode Island.

Mr. WHITEHOUSE. I thank the Senator.

Mr. THUNE. Mr. President, I think the reason Republicans here in the Senate find this stance so perplexing is that the characterization we have never negotiated around a debt ceiling is absolutely not true. Deficit reduction measures over the last several decades have been paired with increases in the debt ceiling. Almost 30 years ago, we had the Balanced Budget Emergency Deficit Control Act of 1985, otherwise known as Gramm-Rudman-Hollings. I was a staffer here at the time. That was done in the context of the debt ceiling.

We had several measures in the 1990s that reduced our deficits that were done in association with an increase in the debt ceiling.

Most recently, we all remember the Budget Control Act of 2011, which resulted in restraint largely on the discretionary side of the budget, which many of us would like to change; but it has also resulted, for the first time since the 1950s, in 2 consecutive years where the Federal Government spent less than it spent the previous year—the first time since the Korean war. The common denominator is that these deals were paired with an increase in the debt ceiling.

The point I am trying to make, for those of my friends who are arguing that negotiating around our debt ceiling is unprecedented, is perhaps they ought to take a closer look at history.

This week, Kevin Hassett and Abbey McCloskey of the American Enterprise Institute wrote an op-ed in the Wall Street Journal entitled "Obama Rewrites Debt-Limit History," which I think characterizes the history of the debt limit in a more accurate way. They write:

According to the Congressional Research Service, Congress voted 53 times from 1978 to 2013 to change the debt ceiling.

So 53 times in those 35 years of recent history.

They go on to write:

Congressional Republicans who want legislative conditions in exchange for a debt-limit increase are following a strategy that has been pursued by both parties the majority of the time. Of the 53 increases in the debt limit, 26 were "clean"—that is, stand-alone, no strings-attached statutes. The remaining debt-limit increases were part of an omnibus package of other legislative bills or a continuing resolution. Other times, the limit was paired with reforms, only some of which were related to the budget.

To reiterate, out of 53 increases in the debt limit, less than half were what we say are clean or stand-alone measures. The others had other legislation associated with them, in many cases an

omnibus package of legislative bills or continuing resolutions or deficit reduction measures.

To make that happen again, what we need is leadership. We need leaders on the other side of the aisle, including the President, to come to the table in good faith to make the tough decisions.

I have to say I find it concerning that instead of coming to the table this week, the President has embarked on a media blitz suggesting Republicans in Congress want to default on the debt. In an interview this week with CNBC's John Harwood, the President stated that he recently told representatives from the financial services sector visiting Washington that they should "be concerned." They should be concerned over a faction of Congress that is willing potentially to default.

In my view, these statements are both unproductive and misguided. Nobody wants default. Nobody wants a government shutdown. I can assure the President and my friends on the other side of the aisle that Republicans here in the Senate couldn't agree more that those are things we need to avoid.

What I would suggest is that instead of simply kicking the can down the road, instead of pushing the difficult decisions off until tomorrow, we have to get serious about the long-term fiscal health of our country so we can grow our economy and help strengthen our middle class. Rather than stoking fears that rankle financial markets and damage the economy, now is the time to move beyond politics and to work with congressional Republicans to make a significant downpayment to address America's long-term debt problems.

Republicans are seeking responsible and reasonable solutions. South Dakotans, and I think the American people, understand that choosing to do nothing when it comes to the debt while piling it on the backs of future generations is not a responsible way to continue to govern our country. I would pose to my Democratic colleagues that Republicans stand ready to come to the negotiating table and act in good faith to get the government up and running again and to make responsible spending reforms that address the true drivers of our debt.

I hope our colleagues on the other side of the aisle will take a lesson from history and not suggest they are not going to negotiate. That is not a viable position in the eyes of the American people, and it is not a viable position if we want to work in a way that is going to lead to an accomplishment and a result here in Washington, DC, on these issues and matters that are of great importance not only to today but to the future of this country.

I would simply say again, as I said when I began, having a position that we are not going to negotiate on a government shutdown and we are not going to negotiate on a debt limit increase is inconsistent with what the American people have said they want

to see done. The latest poll I saw shows that by a 2-to-1 margin, Americans think we ought to be around the debt limit increase figuring out what we are going to do about the debt. That is what the American people think. It is also unrealistic to think we are going to be able to solve our problems, and it is inconsistent with what history has shown us in the past, that when we have been able to accomplish something, we have been willing to sit down together in the context of raising the debt limit which, by the way, will be over \$17 trillion when this is all said and done. I think the American people believe we are going to ask for another debt limit increase to raise that by perhaps another \$1 trillion, borrowing limit. They would like to see us do something meaningful to address the incredible, burgeoning, exploding Federal debt we are putting on the backs of our children and grandchildren.

I see the Senator from Rhode Island is up next, and if he would like, on his time, to ask a question, I would, through the Chair, entertain it.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I thank the distinguished Senator from South Dakota. I noticed he was on the floor during the remarks of the Presiding Officer, the Senator from Maine, a few moments ago. Having heard those remarks, I ask the Senator from South Dakota if he would concede that there is a difference between negotiating and negotiating with hostages; whether the hostage is shutting down the government or whether the hostage is defaulting on the U.S. obligations, there is a difference between negotiating and negotiating while holding hostages.

Mr. THUNE. I would say through the Chair, to my colleague from Rhode Island, that I think what makes a negotiation successful is when both sides are sufficiently motivated. It strikes me, at least, that if we are going to have a successful outcome, both sides have to have incentives to be at the table.

I think Republicans have indicated very clearly that we believe one of the ways in which we get legislation, policy put in place that is good for the future of this country is to do it around a debt limit increase. Historically, that has been the case. That has been a precedent. It has been very clear, as I mentioned, throughout the course of modern history that many of the big budget agreements we have reached have been done in the context of a debt limit increase. So I would suggest to my colleague from Rhode Island that whatever the motivation is for getting people to the table, we just need to get to the table.

We have had a lot of, on both sides of the aisle, I would say, in fairness, people questioning each other's motives. But we are in a pretty tough spot right now. We have a government that is shut down that we need to get reopened. We have a debt limit we are

going to hit in the next couple of weeks. I hope we can sit down in good faith and figure out where we can find a common path forward that will allow us to govern in a responsible and a reasonable way, but to address what I think are the big issues facing the future of this country.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I note that the President and Leader REID have both indicated a very open willingness to negotiate on virtually anything. But in light of the difference the Presiding Officer pointed out on the floor a moment ago between good-faith negotiating under our established constitutional procedures and negotiating while holding hostage either the continuing operation of the Federal Government or a U.S. default on its obligations for the first time in history, that that difference does indeed bear on this discussion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, today marks the fifth day of the shutdown. I come to the Senate floor once again to call on the House of Representatives to take up the Senate bill. It is a simple bill. It has no bells and whistles. It simply says, Let's open the government again. Let's open all the monuments. Let's open up the research that is going on at the National Institutes of Health which is important to save lives. Let's put our intelligence employees, who every day are putting themselves at risk trying to gather intelligence data, back to work. And then let's take those 6 weeks to do what the Senator from South Dakota was talking about, which is to negotiate a bigger deal, a budget deal.

One of the things I have been concerned about is that the Senate has, in fact, passed a budget, the House has, in fact, passed a budget, but our colleagues on the other side of the aisle will not let those two budgets go to conference committee as they are supposed to do so we can work out the differences and have a long-term solution. The solution is not to shut the government down.

What has happened? The Senator from Maine, the Presiding Officer, did a good job of reviewing what has gone on over the past few weeks. First, we passed a sensible bill to keep the government open at low spending levels—sequestration levels, as we call them here—with the spending cuts included, because we knew that was a compromise, but we knew that was a way we could get our friends from the other side of the aisle to agree to have a further negotiation period. Instead, we got back a bill that would have delayed the Affordable Care Act—something they knew very well the President would veto and the Senate would not agree to. Now we have gotten a series of bills where they have agreed to keep certain agencies open—sort of govern-

ment by Whack-a-Mole. One problem comes up; OK, we will get that one done. Oh, maybe there is a big merger that has been proposed that has antitrust problems and could cost consumers money. Maybe we will put a few antitrust lawyers back to work. Oh, I guess there is an imminent threat going on right now, so let's add a few intelligence officers. Let's handle that one. Maybe there is a foodborne illness problem that has developed in part of the country. Maybe we have to put some of those Centers for Disease Control employees back to work.

That is no way to govern in business and that is no way to govern the greatest Nation on Earth. We are a democracy that has been a model for the rest of the world. This is not the answer.

What is the next vehicle we got? Today we found out they have voted to pay furloughed workers. That is something I support. That is something most of the Senators here support. OK. But does this make sense, that they would decide to do that today and then not also vote to put them back to work? They are essentially deciding they are going to pay them—which I support—that they are going to pay them, but they are going to pay them to stay at home. This doesn't make sense in Lanesboro, MN. This doesn't make sense in Detroit Lakes, MN. They believe Federal workers have been hired to do a job and it is time to put them back to work, and that is what this debate is about.

These are the things I have been hearing from my constituents. I have some random letters that came in on our e-mail system over the last few days. Here is a letter from Jason of St. Paul. He says:

I am a Minnesota resident currently on active duty in the U.S. Navy on deployment in the Middle East for my 2nd tour . . . As a military member, if I did not do my job I'd be putting the lives of my friends and fellow military members at risk.

Jason is a Navy reservist on active duty. He continues:

At home, I am a full-time professional firefighter and EMT for the St. Paul Fire Department. If I chose to fail on my duties when a fire call came in, people would die. Similarly, the shutdown in the U.S. Government—

He says,

I know it happened in the House, and that the Senate passed a bill, sorry—

He adds that, and then he says:

The shutdown of the U.S. Government is unacceptable. I work in a coalition office with several other European officers from other navies and I am embarrassed at what I see from Congress. I urge you with all of my being to work to resolve this. I am confident that you can get the job done.

Next, Lisa from Oakdale, MN:

Senator Klobuchar, I am 39 years old and have never contacted a representative until now. I felt compelled to do so today because as a federal civilian employee, I want to express my extreme disappointment. I have dedicated my career to federal service, which I am now considering changing given this unfairness. Please work to resolve the budget as quickly as possible so my husband and I can return to work.

That is what Lisa said.

The House of Representatives said, rightfully so, they would pay her while she is at home, but they didn't send her back to work. They didn't do what she asked for in this letter. They didn't send her back to work. She simply wants to do her job.

Here is a letter from Pamela from Young America, MN, a farmer:

Please do whatever you can to stop the government shutdown. We have 14 acres of land enrolled in the CRP program [Conservation Reserve Program] and our rental payment is to be made to us this first week of October. As long as the government shutdown is in place our CRP payments are delayed. We depend on this money as it is not a small amount for our family. There are many farmers/land owners in this same situation. Please stop the shutdown.

Well, I hope the House of Representatives is listening to Pamela of Young America, MN, today.

Kathy from Braham, MN:

I am an employee of the Social Security Administration, Office of Disability Adjudication and Review.

I have seen you intervene on matters for claimants who have disability hearings pending. I am furloughed as part of the government shutdown. If you want your constituents' hearings addressed, I need to be at work in my office.

Is she talking about pay in this letter? Of course she wants to get paid, and she is going to get her pay, and she should, but that is not what she is talking about. She is talking about doing her job and getting back to work. Yet today the House of Representatives voted to pay workers to stay home. OK, we want to pay them but not to put them back at work, when that is all she is asking to do.

Alicia from Hastings, MN:

Dear Senator Klobuchar:

I am writing to express my extreme concern over the federal government shutdown. I am a teacher, a mother of three boys and the wife of a furloughed veteran who works for the Minnesota Air National Guard. I have never before written a letter to my representatives, but feel so utterly helpless and frustrated at this time; I need to voice my concern.

My concern at this time is that those in Congress have forgotten about people like me, like those in my family, and those in my community. I feel like an inconsequential number, a nameless and faceless casualty in a game that has no winners. I am concerned that my family's experience is lost in the rhetoric exchanged between party members. I am concerned that we are the forgotten and nameless . . . collateral damage in a philosophical debate.

At this point in time, my husband, who is a veteran working full-time for the Minnesota Air National Guard, is out of work because he is a federal employee not deemed essential. I am afraid that not only are the other 800,000 laid-off federal employees deemed non-essential, but the rest of the American citizens are non-essential as well. . . . Our struggles are real-life struggles; not a game, not philosophical, not in theory, not distant and not imaginary. My hope is that those struggles and hardships matter to you, and in a real way. . . . I am hoping you will understand the urgency of this situation for my family and for the thousands of others whom you directly impact on a daily basis. I

don't want any representatives to forget the real people affected by these decisions. . . . That is your duty. That is your charge. That is your enormous task. . . . I hope that I can count on you to look out for my family and the many others you affect. I hope that you will consider our lives and hardships. . . . Thank you for your efforts to . . . solve this situation.

She does not want to be inconsequential. She does not want to be non-essential—not just her husband, who is furloughed, but she as a citizen of this country. Again, is she asking for money? Of course they want to get paid, and they will get paid, but that is not what this is about. This is about her husband getting back to work to do the duties he was hired to do by the American people.

This is a simple bill. It simply allows them to go back to work.

I am heartened by the fact that the number—I think it is at 22 House Members now on the Republican side—who have said they want to vote on this Senate bill. That is a magic number. That is enough to pass it. We have to let that bill come up for a vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise today in order to talk about the impact of the current government shutdown on Hawaii's Federal workers.

Here in Washington, we debate in what most people consider abstractions. We use terms such as "ObamaCare," "filibuster," and "discretionary spending." We talk about government programs and initiatives in the aggregate and in the abstract. Hardly a day goes by that we do not hear about some program costing in the millions and billions. While we use these terms and concepts when debating the nuts and bolts of government policy, what we need to always keep in mind is that these dollars and these terms impact real people, real lives.

The work of the Senate is to debate and to deliberate with the goal of finding consensus solutions to the challenges our Nation faces. The core of what we do is about people, families, and communities. When we get away from thinking this way, when we focus on the abstractions and the slogans and who is winning the day's media war, it becomes easy to forget what we are all here for. When we forget that, we find ourselves unable to move forward and find consensus. We lose focus on the people, families, and communities that sent us here.

Public service is a privilege. It is also a responsibility. When we stand for election or enter public service in some other way, we are committing to put ourselves in the back, behind the people for whom we work and serve.

So today, as we mark another day of a government shutdown, I would like to share some stories with my colleagues, stories about people and families affected by the shutdown.

I have received letters like my colleague from Minnesota has received

letters from her constituents, from people of all ages, serving in different capacities and at different Federal Government agencies, and even some who are just embarking on a path to public service. These are all people dedicated to their work and dedicated to their country. The damage we are doing by not getting these folks back on the job is serious and impacts our national security, our economy, and a host of necessary services upon which the people of our country depend.

This shutdown and the debate around it is undermining a commitment to public service for many people. It is damaging the effectiveness of our institutions, and it is unnecessarily putting many families in Hawaii and across the Nation in a state of uncertainty and anxiety.

One furloughed man who wrote to me expressed these views clearly. He said:

As a U.S. Air Force civilian, I am a furloughed employee. Hawaii has nearly the highest percentage of federal workers. This has a huge impact on the Aloha state. Unlike the recent sequester, one can't scale back when nothing is coming in.

Some lower-grade workers may lose their homes and with it their sense of pride for choosing to work for the govt. That's the reality of this shutdown.

He went on:

By Oct 9, we'll have lost more than the recent sequester cuts. Many have not overcome that and now we're summarily discharged. And the debt ceiling debate is next? I work in an office of 10 or so. Half active duty, half civilian. We provide the continuity needed year in and year out to manage instrument procedures at all our bases in the Pacific Air Forces. . . .

He goes on:

Are we "non-essential" employees? I respectfully ask Speaker BOEHNER to ask them. I'm upset that a few politicians are holding my country, my community, and yes, my family hostage for political brinkmanship. . . . I stand with you, Leader REID and the "responsible" Republicans in the U.S. House that want to get our nation moving again.

Another constituent wrote to me about the impact of the shutdown on her family. She said:

As the wife of an "essential personnel" government employee, I would like to tell you that the shutdown is devastating. We are parents of three children, one of whom is special needs and requires expensive measures daily to survive. Without a paycheck, we will be unable to pay our bills, buy food, support our children. Many, many middle class federal employee families are in the same boat. Savings will not support us indefinitely.

My husband is, right now as we speak, at work doing his duty, protecting the American public against foodborne illness and contamination. Yet he is doing it with no pay. We are devastated. Please please tell our story. Tell the Republicans who have not crossed the aisle to please be reasonable and fund the government. They can argue later. Children are paying the price for the shutdown.

As of right now, at Pearl Harbor Naval Shipyard, three of our Nation's nuclear submarines are in drydock. Work on them stopped due to the shutdown. One of the shipyard workers wrote this to me:

Mazie, I am an employee of Pearl Harbor Naval Shipyard. The shutdown has left my co-workers and myself with a sense of trepidation, insecurity and angst. Most of the hard working dedicated and patriotic federal civilian employees I work with live paycheck to paycheck due to the high cost of living in our islands. I have fears of not being able to pay my mortgage on time in November.

But more importantly Mazie, the operational readiness of our Pacific Fleet is in jeopardy because we aren't able to keep our ships "Fit To Fight" if we can't go to work, repair them and meet schedule deadlines for returning them to operational status. Our workload already is stretching our resources and demanding we perform more with less. How can we recover a day, a week, a month or more sitting at home when so much is at stake? The long term consequences of this shutdown has ripple effects that are not one for one but a much longer period when moving a large industrial workforce back into a rhythm of productivity and efficiency. Please continue to work with your colleagues in Congress and convince them to end this shutdown sooner rather than later.

This letter is an example of the selflessness of so many workers. While he is concerned about himself and his colleagues, his greater concern is for the impact this shutdown will have on our Nation's security.

I have also received letters from people just starting out in life and in public service. For example, one young woman wrote me:

I am in jeopardy of losing my AmeriCorps VISTA placement, which would prevent me from developing essential workplace skills, and an education stipend that would lighten the load of my student loan debt.

Another shared this:

My husband and I are closing on our first condo today, Tuesday, October 2nd and are now faced with the challenge of my husband not receiving a paycheck during the shutdown. He is a government employee who is expected to work during the shutdown without a payday in sight. I am extremely nervous now about paying our mortgage and other essential bills when I should be excited about our first home purchase. I know eventually this will be straightened out but at what cost to us? We are both in our early 30's trying to make a life together and like many obstacles, this is another setback. I hope this comes to an end quickly.

These are people just starting to make their way in the world. They are working hard and doing all the right things. Yet, through no fault of their own, they are facing uncertainty and are likely questioning whether they have chosen the right path.

The last letter I would like to share today—and I will be sharing more in the coming days about other areas of Hawaii's economy that have been impacted—is one that I hope my colleagues will think about as we go forward. This couple wrote:

My spouse and I are both federal employees, with a combined public service commitment of over 50 years. We have seen and lived through many congressional sessions and many more shenanigans, but neither of us can recall a time when the truculence of a few has caused so much hurt in the lives of so many. I am "essential;" my husband is not. We will get by.

Others are not so lucky. Our administrative assistants, for example, both of whom

are barely hanging on, trying to feed their kids on the same pay they received three years ago while the costs of health insurance, transportation, and housing have continued to rise, are now not being paid at all.

Our daughter, for example, over \$200,000 in student loan debt, who tends to our veterans as a physician in a VA hospital, still had to come up with her rent on Tuesday and still has to pay for healthy food and quality daycare so that she can go to work, but not get paid.

These people devoted their careers to serving the public, helping people, and making our country a better place.

I ask my colleagues to think: How long will this couple's daughter or the administrative assistants they mention in their letter continue to hang on and stay in public service? If our political system cannot function, our institutions and the people who work in them and rely on their services suffer.

One of the most damaging legacies of this shutdown could be the crisis of confidence it will create among the American people toward their own government. That would be devastating.

I am not arguing that government should be the answer to all of our problems, provide all of our services, but the services it does provide should be worthy of the people, families, and communities we are providing them for. Having a dedicated Federal workforce is central to that goal, and our job as Senators is to give that workforce confidence that their work is valued, that they are valued, that their contributions are worthwhile. This shutdown fails miserably in all of those respects.

We have the privilege of serving in the Senate. Let's do our job for the people all across our country who, like all these people who wrote to me and who wrote to all my other colleagues, expect nothing less of us.

Let's reopen the government. Speaker BOEHNER, let the House vote on the bill that the Senate sent to you. Let's get back to working on what we can do better to serve the people, families and communities that gave us the privilege to be here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I want to thank the Senator from Hawaii for her comments and say that on the basis of what this Senator just discovered, having gone down to the other end of the Capitol, it is going to take a lot of loud voices to get the Speaker to hear us because they have shut down. They have gone home. They are not even coming back until next Monday.

I was just wandering through this deserted Capitol. I encountered Congressman STENY HOYER, one of the great leaders of the Congress, who is the minority whip now and used to be majority leader in the House of Representatives. He just gave me this report.

Those chambers down there at the other end are darkened. Here we are, on the basis of a small group of people in the House of Representatives who

insist on having it their way or no way, we have all of these people and all of these specific events that all of these Senators have chronicled of the deprivation of the lack of security. I mean you can go on and on as a result of the shutdown.

This Senator is going to enumerate a few examples of that while the two Senators from Hawaii and the Senator from Wisconsin are here, and the great presiding officer, one of the bright lights of the new class that just came into the Senate.

If you really examine what is the problem—the problem—it actually goes back to the Hebrew Scriptures, in the Hebrew Scriptures, to two commandments that then were reiterated by Jesus in the new Scriptures.

The first commandment: Love God with all your heart, mind, soul, and strength. The second is likened to it: Love your neighbor as yourself. There is a practical "how to" for what we know as the Golden Rule: Treat others as you want to be treated. That is a practical application of the second great commandment of: Love your neighbor as yourself.

It is part of the root of the problem we see. It is not only gripping the capital city of the United States, where people are so ingrown and insular and unwilling to respect the other fellow's point of view and work out their differences—the very underpinnings of the greatness of our democracy that has lasted over 2¼ centuries is on that basic principle of: Treat others as you would want to be treated.

In other words, in the political context, do what Tip O'Neill and Ronald Reagan used to do: Have your fights, but at the end of the day, respect each other so when it is time to do the deal, you can come together and resolve your differences.

Another great model for this Senator when he was a young Congressman were the two leaders in the House of Representatives: Tip O'Neill, the Democratic Speaker, and Bob Michel, the Republican leader. It is the same kind of relationship that Tip had with the President.

They would fight like the dickens during the day, but they kept that personal respect through a personal friendship, so that even though they vigorously disagreed about an issue, they realized that they were not the only ones in this country, that there were other people who thought differently than they did, and in the grand tradition of American democracy, when it was time to build a consensus to achieve a workable solution, then they could come together and work it out.

But what we see is a small—very, I would dare say—totally inward-looking group that thinks that they know it all and that their opinion is the only opinion, and that they have the political leverage since the Speaker of the House has said that he will only pass something with Republican votes. By the

way, it did not used to be that way. They now call that the Hastert rule, named after Speaker Hastert.

Before that, it did not used to be that way. We used to pass legislation in the House of Representatives with Republican and Democratic votes. I give you that great example. I want to give you one of the finest examples of government being able to work during a time of economic emergency. It was in 1983. We were within 6 months of shutting down Social Security because Social Security was starting to run out of money, where it could not make its full payments. It would have made partial payments.

Those two Irishmen, Tip O'Neill and Ronald Reagan, said: We are going to fix it. The first thing we are going to do is to take this iron rail of American politics, and we are going to take it off the table to be used as a hammer to beat your opponent over the head with in the next election. Then we are going to appoint a blue-ribbon panel. They are going to bring back their recommendation to the Congress, and we are going to pass it.

All of that occurred. It passed overwhelmingly and made Social Security actuarially sound for the next half century, into the 2030s, all the way from 1983. That is an example of the finest traditions of governing under the American constitutional method in our democratic system.

So when you get at loggerheads in a time such as this, where is that respect—that genuine respect and not that superficial respect, that respect that fortunately we show to each other out here on the floor of the Senate. But where is that genuine respect, and where is that recognition? Those words over the presiding officer are scrolled in the marble: *E Pluribus Unum*. Out of many, one. We gain our unity from many peoples, many ideas, but we all think of ourselves *unum*, as one, as Americans.

That is what we are missing. You boil all of this down, and that is what is going on in American politics today. We do not talk to each other. We are shouting past each other. Turn on your cable TV. Look at the shouting match there. Turn on one cable network and you get only one perspective. Turn on another cable network and you get another perspective. We are not talking to each other. We are not.

Also, as the good book says, as Lyndon Johnson as President often reminded us: Come, let us reason together. That is what is happening. I see other Senators that want to speak here. I have got a whole bunch of things that I wanted to enumerate that are happening in the State of Florida, where the shutdown of the Federal Government is affecting the State government. I am not going to list those so that my colleagues can go on and speak.

I have got a bunch of issues to talk about related to national security, where we are genuinely harmed today

with the shutdown of the government. I want to point out that one of our military commanders—it happens to be a tanker unit, the big KC-135 tankers. They fly and refuel all of our aircraft. They refuel in the air.

He said, "We are effectively shut down." Another commander of another active duty wing, Colonel DeThomas says that when you take the furloughs, these furloughs on top of the 6 days that they lost unpaid in the sequester in the last fiscal year, which ended September 30, he says: You do that, and it creates a double whammy. That is what is happening. That is just one little snippet of our national security. I am so glad that these colleagues are here to speak. I will share all of the details that I intended to share at a later time. I thank the Senators for their attention.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I have come to the floor today to deliver a message from the people of Wisconsin. They are fed up with the political games that are being played here in Washington. They have had enough. On Tuesday, Congress failed the American people and our government shut down because the tea party faction in the House put their own personal agendas and partisan politics ahead of progress for the American people.

The Republican leadership in the House could end this shutdown by simply letting the House vote on the Senate-passed bill to fund the government. Instead, the Speaker of the House has, for over a week, prevented the House from voting on a clean funding bill that would open the entire Federal Government.

In my home State of Wisconsin, we believe in hard work. We believe that hard work should be respected and rewarded.

Every day people get up and go to work to build a better life for themselves and their families. They trust in the promise that if you work hard and play by the rules, you will get ahead.

They are right to expect that both parties in Washington work together to help keep that promise. They are right to expect that both parties in Washington work together to respect the hard work of Americans who have helped lift this country up from the worst recession since the Great Depression. They are right to expect that both parties in Washington work together to reward the hard work of families and small business owners who, through sheer grit and determination, have been moving our economy and our country forward.

In my home State of Wisconsin, our State motto is one word: Forward. The people of Wisconsin live up to that motto every single day, and I would say all Americans do as well.

As I stand here today, in the midst of the fifth day of a government shutdown, I can't say that Congress has. In-

stead of working together to move our economy and our country forward, the Republican leadership in the House has offered day after day of political games and brinkmanship.

Here is the price: In Wisconsin, more than 800 workers in the National Guard are off the job—hard-working people who have committed themselves to public service, to something bigger than themselves. They get up every day and work for our common good. They deserve to have a Congress that does the same.

These are particularly tough times for my State. Even as the national economy is rebuilding and rebounding, my State's economy has lagged behind the rest of the Nation. Our economy cannot afford to have the tea party extremists in the House making it harder for small business owners to create jobs.

Their shutdown has blocked small business loans and investments in Wisconsin and that threatens our "made in Wisconsin" economy and tradition, our work ethic, and our entrepreneurial spirit.

Due to this tea party shutdown, Wisconsin's small businesses are missing out on about \$3.5 million in SBA-supported loans every day. That means Wisconsin's small businesses have been denied access to critical loans since this shutdown began.

We know the majority of new jobs in the United States are created by startups, and small businesses are engines of our economy, creating two out of every three new jobs. Our economy needs to have a Congress that is supporting and strengthening small business efforts, not a Congress that steers from one manufactured crisis to another.

Groundbreaking research, supported by the National Institutes of Health, adds more than \$800 million a year to Wisconsin's economy. We should all be able to agree, both parties in the House and the Senate, that in order for America to outinnovate the rest of the world we must protect and strengthen our investments in research, science, and innovation.

The failure of the House leadership to step up and actually lead has put in place a shutdown that is threatening Wisconsin's leadership on bioenergy research and on biomedical research. This failure in leadership in the House means new patients are being turned away from the benefits of cancer research being done at the University of Wisconsin.

On a broader scale, our NIH Director, Dr. Francis Collins, told the Wall Street Journal on Tuesday that as long as the government is shut down, the National Institutes of Health says it will turn away roughly 200 patients each week from its clinical research center, including children with cancer. He said:

We've had to tell people "I'm sorry, you can't come here."

This is the price extracted by a small tea party group in the House who can't

see past their own political agenda to defund, delay, or repeal the Affordable Care Act. It is reckless and it is irresponsible. But it doesn't have to be that way. It is time. It is time the House leadership steps up and actually leads.

More than 1 week ago the Senate passed a clean bill that funds the government, ends the shutdown, and that opens the Federal Government for business again. They have obstructed that measure from going to the House floor for a simple up-or-down vote. The House Republicans need to end these politics. It is time for the House to have an up-or-down vote to end this shutdown.

House Republicans need to break with their divisive threats. They need to start governing and pass a responsible budget that invests in the middle class and strengthens our economy. It is time. It is time for the House to have an up-or-down vote to open our government for business.

House Republicans need to stop standing in the way of progress. They need to start working to build a better and stronger future for our country. It is time. It is time for the House to have an up-or-down vote to end this gridlock and to move our country forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. We certainly appreciate the hours of the Presiding Officer in presiding. I don't know whether the Presiding Officer's time is at the beginning or the end, but we are grateful for the time this weekend.

I wish to start by commending the work of the Capitol Police. I didn't have a chance to do that yesterday in light of what happened in Washington the other day. It was a terrible incident and a terrible tragedy. As usual, the Capitol Police handled it with professionalism and with very effective policing and law enforcement and kept people safe. We should commend them every day, not only on days when there is a dangerous incident that takes place. We thank them for that.

We gather here today to talk about our country and whether we are going to finally, after almost a full week now, have a government that is open, operating, and functioning. I think a lot of people in both parties, and maybe more so on the Republican side of the aisle, have a better chance this week to understand, appreciate, or have insights into what our government does every day, how it helps people, keeps our economy moving, and keeps us safe. I only hope those lessons are being learned.

When I am in Pennsylvania or in Washington and getting communications from Pennsylvania, people ask, in light of this shutdown, some basic questions. A lot of the questions are the same: When will it end? How will it end? Is there a way out? They ask those kinds of questions. They don't know because there is often not a readily identifiable answer.

But as complicated as this is, and as difficult as it has been, especially for people directly affected or even affected indirectly for folks around the whole country, there actually is a pretty simple answer, and maybe it has been overlooked this week. It comes down to one word—technically it is two words. The first word is “just” and the second word is “vote.” But in our social media age, often words are jammed together, so maybe we will say it is one word, “justvote.”

People might say what does that mean? Congress should have votes all the time, and we understand the House and the Senate votes things all the time. What does “just vote” mean? Actually, it is rather simple. A week ago yesterday the Senate voted on a measure, a simple amendment, that was sent over to the House that was a clean resolution—in other words, a continuing resolution. It is another way of saying to keep the government operating. It didn't have anything attached to it, nothing about anything extraneous or additional. That is where the phrase a clean CR, continuing resolution, comes from. It is a way to keep the government open.

The House, led by Speaker BOEHNER, decided not to consider that. Here it is. It is actually pretty simple. It is an amendment to H.J. Res. 59. It is amendment No. 1974. We can see the markings on it when it was being considered here. It is all of 16 pages. It doesn't even get to the end of page 16. It is a simple document, and it has been sitting over there for a week. I, of course, won't read it, but it is a very simple way out of this predicament.

It has overwhelming support across the country. Even for people who disagree with me or disagree with Democrats about health care or about any other issue, there is overwhelming support for this. When someone says “just vote,” this is what they should just vote on in the House. The House passes this, and it is over. The government shutdown is over. The President will sign it and literally within—I don't know how long it will take them to consider it in the House, 20 minutes for a vote, or an hour for all the procedural mechanisms to play out—and then the President would sign it. I am sure there are people who would drive it to the White House to have him sign it.

That is what this is. It is a 16-page bill that is simple. It even has growing support on the Republican side.

When we say just vote, just vote on this 16-page document. It may not look like a key—it is 16 pages of legislative language—but this is the key to ending what I think is not a Republican-Democratic shutdown, but this is the key to ending the tea party shutdown. That is what this is. I think most people understand that now we are into a couple of days of government shutdown.

It would be very easy for that vote to take place. It would transpire very

quickly. The Speaker would only have to put the bill on floor. He wouldn't have to vote for it. Most Republicans wouldn't have to vote for it and likely would not. But the combination of getting Democrats voting for it, virtually every one, and a handful of Republicans, is not only possible but I think there are people waiting to do it. Maybe the number would even grow if it actually happened. This is what should happen. That could happen today or the next opportunity would be Monday.

I would hope the Speaker would do that because I think a lot of people are asking a fundamental question about who is in charge, who runs one part of the House or the other. It is my judgment that the tea party is in charge now. I hope conservative Republicans, very conservative Republicans, and moderate Republicans can get control of their party.

What I worry about—and I think what economists worry about even more than I because they know more than we do about the economy—the concern is if they don't get control of one wing of one political party, we are going to have an economy that gets out of control. No one wants that, I don't believe, in either party.

The other point I wanted to make about where we are—and I know there are people who hear a lot of back and forth and they get a little tired of the debate. They would rather have every-one vote in the House and this would be over. I think it is important to talk about the words “compromise” and “negotiation,” because they have been used a lot by the Speaker and by Republican Members in the last couple of days.

I think the record is pretty clear, even though some have forgotten it—and there were reminders this week—that the negotiation and the compromise on the resolution to keep the government operating already happened. It happened weeks if not months ago. Both sides agreed a resolution to continue funding the government would go forward with nothing attached to it.

The hard part for Democrats is that we had to compromise in a very substantial way, and I think that is an understatement. The compromise we put on the table and we adhered to is the compromise of a \$70 billion cut in fiscal year 2013 enacted levels.

What does that mean? That means we agreed to a much lower number. Democrats on this side passed a budget resolution in the early hours of a Saturday morning. We voted all night. I don't know how many votes we had through several days and throughout the night, but we passed a budget resolution which had a higher number than the number we agreed to later. So we compromised substantially.

I think you could even make the argument the compromising so far has been all on one side—the Democratic side—to agree to a much lower number.



But one of the most important parts of that is we compromised on the core issue before us. This continuing resolution and funding the government, keeping the government operating, is not a health care debate. I realize people have made it into a health care debate, but the core issue is will the government remain open. We said yes. Will the government remain open at the Democratic number? We wanted that, but we said no in order to keep it functioning and moving forward. We agreed to a lower number. That is the core issue, what will the number be to fund the government.

So the compromising and the negotiating was done a long time ago and we were the ones who compromised. The idea that we should have a drawn-out discussion, which they call negotiating, to open the government doesn't make a lot of sense. Once the government is open, we have a lot to debate and talk about and negotiate.

One of the illustrations of what I am talking about in terms of what happened here and that transpired over many months, where Democrats compromised to keep the government functioning, was set forth in several news articles in the last couple of days, but I won't read them.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CASEY. I ask unanimous consent to have 3 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Looking at the Thursday, October 3 edition of Politico, on page 19, here is the headline. I will hold it up, but it is probably too small to see so I will read it: "How the Shutdown Fight Is Obscuring a Major Republican Victory."

They are saying here that the compromise the Democrats made to cut \$70 billion is the compromise that already happened and should keep the government open. That is the reality.

The good news is there is a growing number of Republicans in the House and Senate who are saying just what I am saying: Let's just have the House vote and pass the continuing resolution as it is.

I have a number of examples from Pennsylvania. These are examples of what middle-class families are facing.

I have heard from several constituents who may not be able to make their mortgage payments this month due to furloughs and from others who can't close on homes because their federal loans are not being processed during a shutdown. I want to take the opportunity to highlight two letters from my constituents. This letter No. 1:

Because of the government shutdown, my husband has been furloughed, and is now home without pay for nearly a week. Our mortgage payment is due next week and we are going to be short because of this. My family barely gets by as it is and we cannot afford to lose an entire week's salary because of government tantrums over a health care bill . . . I cannot even begin to express how disappointed I am in our government and

your lack of consideration for middle class families who are struggling.

This is letter No. 2:

After searching for a house for over two years, we have finally found our home. We have gone through all the underwriting for our mortgage, and we only need the stamp from USDA. Unfortunately, since the government shutdown, USDA has closed. We were supposed to have settlement on October 11th, 2013. My husband . . . and I already put in our notices that we will be moving. This is absolutely unacceptable. Please help us in making our home, OUR HOME.

Every day that Speaker BOEHNER refuses to hold a vote on the Senate passed bill that will reopen the government causes more uncertainty and difficulty for Pennsylvanians and citizens across the country. It's time for this shutdown to end and for the House to just vote on the clean continuing resolution that will reopen the government.

Let me conclude with this. I think one of the best lines of the week about this piecemeal approach the House is taking day after day, instead of just voting on the measure before them to open the government, came from the commander in chief of the VFW—the Veterans of Foreign Wars. He said:

We expect more from our elected leadership, and not a piecemeal approach that would use the military or disabled veterans as leverage in a political game.

I think that is a pretty good estimation of why we shouldn't go in the direction of piecemealing. The House should, in a word, just vote so we don't have—and I say this respectfully to my Republican friends—a tea party shutdown evolve into a tea party default. It is bad enough we are in a shutdown, but it will be a lot worse if, for the first time since 1789, the U.S. Government defaulted and the full faith of credit of the United States was badly, badly damaged.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, the other day a reporter came up to me and said: You have been here a while. What do you think it will take to end this shutdown? I replied with a single sentence: The Speaker of the House needs to lead.

A majority of House Republicans want to end this shutdown by voting for a clean continuing resolution, but a small number of the most ideological Members of the House oppose such a move and oppose a vote, and the Speaker has given this small group a veto over the functioning of the U.S. Government.

Congressman CHARLIE DENT, a Pennsylvania Republican, made one of the most stunning statements about this situation. In a television interview this week, Congressman DENT said the following:

I do believe it's imperative we do have a clean funding bill to fund the government. That was the intent of the Republican leadership all along, but obviously there were a few dozen folks in the House Republican Con-

ference who weren't prepared to vote for a clean bill, and that's why we're in the situation we're in right now.

Congressman DENT, a Republican, makes it very clear what is going on over in the House of Representatives. There are a few dozen folks in the House Republican Conference who aren't prepared to vote for a clean bill, and that is why we are in the situation we are in right now. So the Speaker of the House is allowing a "few dozen folks" to shut down the U.S. Government. What an indictment of the House Republican leadership.

Speaker BOEHNER could bring all this chaos to an end. All he has to do is bring the Senate's bill reopening the government to a vote. The Senate has voted three times on House continuing resolutions. Speaker BOEHNER has yet to schedule a single vote on the Senate's bill. Why? Because it would pass.

That has to sound totally counter-intuitive—that you don't bring a bill to the floor because it would pass. When the Speaker himself says he wants the government to open, and 90 percent of his own Republican Caucus wants the government to open but 10 percent of his caucus doesn't, that means he would have to depend on a few Democratic votes to pass the bill. And that is anathema to the Speaker of the House; a bill with bipartisan support cannot be allowed, in his judgment, to come to a vote because it would pass. That means it would be a bipartisan bill. It would depend upon some Democratic votes. It is his policy—the Speaker's policy—that he cannot hold votes on bills that require Democratic votes to pass.

I cannot think of a more striking example of rank partisanship than that policy. I hope the Speaker will be asked one of these days to explain his refusal, as to why he is following the dictates of a small group of his caucus when there is a bipartisan solution right in front of him. We have looked through the media, and we cannot find where the Speaker has ever been asked or answered this question: Why will you not bring the Senate continuing resolution vote to the floor of the House of Representatives for a vote? Why will you not allow a vote on that bill?

Instead, the Speaker sends us piecemeal bills and demands we open the government one program, one agency at a time. Today, there is a new element—a bill that would pay Federal employees whether they are on the job or not during this shutdown.

Federal employees didn't ask to stop working, so we should pay them. But why in heaven's name—why in heaven's name—should we not let them get back on the job serving this country if they are going to be paid? Why not pass a continuing resolution and let them work? This bill to pay retro actively Federal employees who aren't working passed, apparently, unanimously today in the House of Representatives.

Why not let them work? Pass a continuing resolution.

I also want to ask the Republicans who support this bits-and-pieces approach this question: When all this piecemeal legislating is through, what is it that you propose to remain closed? Is it the USDA inspectors or offices that process small business loans? Is it the agency that works on Pell grants for college students? Is it NOAA forecasters who keep the watch on hurricanes? Is it FEMA workers who respond when storms come ashore? Is it the furloughed workers at the National Institutes of Health who process the grants that fund so much of our Nation's health research? Just which Americans do the House Republicans intend to keep as hostages to their obsession with repealing ObamaCare?

One of the problems with the Republican approach is it makes gross judgments as to who will be ransomed and who will remain a hostage. What agencies get ransomed and which ones remain hostage? I don't think we can be satisfied with freeing some of the hostages while the rest remain captive. That is not what this country is all about. We are not the United States of National Parks Visitors or the United States of NSA. We are one Nation, and that is why the attempt of the Republicans in the House to pick out one group of Americans at a time is going to fail.

I heard one Republican say the other day that our call, the Democratic call, to open the entire government was "cynical." What a remarkable statement. Here is what I call cynical: Shutting down government cancer trials for young patients, Head Start classrooms for students, benefits for the families of our troops who fall in combat, shutting down all that and hundreds of other things, and then offering to restore the government in slivers, piece by piece, while pretending you are doing the country a favor. That is pretty doggone cynical—acting as if it is a compromise worthy of praise to shut down our government and then to allow portions of it to reopen today, perhaps another portion or two tomorrow, and another portion or two the day after that. That is cynicism.

The anecdote to that cynicism is the true spirit of this country, and it is embodied in people such as Congressman JOHN DINGELL and former Senate majority leader Bob Dole. Bob Dole is a Republican. Both of those great gentlemen, Congressman DINGELL and Senator Dole, served this country in peace and war. And when the House Republicans tried to cover up their destructive behavior by draping it in the love our Nation feels for our World War II veterans, these two men, Republican and a Democrat, both World War II veterans, said it clearly:

If you want to honor the service, give the nation we risked our lives for its government back, all of it.

Here is what they said in a joint statement:

If this Congress truly wishes to recognize the sacrifice and the bravery of our World War II veterans and all who've come after, it will end this shutdown and reopen our government now.

Senator Dole and Congressman DINGELL added:

Piecemeal or partial spending plans do not adequately ensure that our veterans—and indeed all Americans—have access to the system of self-government established to serve and protect them.

Republicans have a simple choice: Continue their current dead-end approach or reopen the government and then have discussions about health care or the budget or other issues they wish to discuss. It is time for those Republicans who say the government should be open, who say they do not believe in these destructive tactics, to match their words with deeds. It is time for the rhetoric now to give way to leadership.

Speaker BOEHNER can end this all now—end this farce of rifleshooting funding that leaves our government full of holes—and bring up for a vote in the House of Representatives a clean continuing resolution. Open the government, all of it. Open it now, Speaker BOEHNER, by allowing the House to vote on the Senate bill which will reopen this government.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, most people believe in compromise. Coming from Hawaii, I certainly believe in compromise. It is part of who we are.

When you live on an island—no matter how contentious issues may get—because of your geographic limitations, you will always see someone the following morning at the Safeway, at the coffee shop, at the bus stop or back at work. So I am deeply personally inclined toward compromise, and so are the people that I represent back in Hawaii.

The problem here is that the House Republicans' supposed compromise is not a compromise at all. Absent from their press conferences and their photo ops is the truth. They are attempting to extort the end of the Affordable Care Act in exchange for doing the job that they were elected to do—a job that 800,000 Federal employees need them to do—which is to simply just pass a bill to fund the government.

Passing observers, people who were busy last week may be tempted to cast blame on both parties, but the reality is that there is no question, by any objective measure, of whose recklessness has forced our government to halt many of its most important services. This shutdown is on the Speaker and the tea party.

Meanwhile, my friends and neighbors back home are suffering. About 25,000 people in Hawaii are civilian Federal employees, and most of them are going without paychecks. More than 36,000 women and children in Hawaii depend on the Special Supplemental Nutri-

tional Program for Women, Infants, and Children, which makes sure that low-income mothers and infants are fed. Without funding, these families could actually go hungry. More than 3,000 children in Hawaii participate in Head Start programs. Head Start is a program that provides early education and related social services to children and their families. Without funding, these kids will have no place to go every day.

Only 3 weeks after 250,000 gallons of molasses spilled into Honolulu Harbor—one of the worst environmental catastrophes in the history of the island of Oahu—Federal support for investigation, cleanup, and restoration activities have essentially had to stop. Those Environmental Protection Agency and National Oceanic and Atmospheric Administration employees responsible for assisting are not allowed to report to work.

At the Pearl Harbor Naval Shipyard, 2,600 employees are furloughed. Workers are forced to stay home, causing real economic hardship. This continued uncertainty not only affects them, but affects the decisions of future shipyard workers who may now choose other professions rather than become the naval engineers that Hawaii and our Nation desperately need. With nearly half of their workforce at home, officials at the Pearl Harbor Naval Shipyard are forced to make hard choices about what work they can perform. We need to end this shutdown so that the Pearl Harbor Naval Shipyard can continue to ensure that our entire naval fleet is ready to respond to any contingency in the Asia Pacific.

These are not theoretical hardships or decisions. My constituents have been sharing their situations with me. I have received many letters. Let me give an example of a person from Kailua on Oahu, who wrote to me saying:

Let me start by stating that I am a U.S. citizen. I love my country, I love my job, I want to work and am proud to support the war fighters when I can work. But I am truly disappointed and feel a sense of betrayal over the past three months of furloughs, budget cuts and being worried about my job and career.

Another constituent of mine from Mililani on Oahu serves in the Reserve. She relies on the money she receives from her monthly unit training assembly to pay her mortgage. She knows she may not be able to meet all of her financial obligations at the end of this month, which is when her paychecks may stop arriving. But she asked me not to give in on the Affordable Care Act because millions of uninsured Americans deserve access to health care.

Even residents who do not collect a paycheck from the Federal workforce are suffering. One small business owner from Makawao, on the island of Maui, is suffering because her business relies on traffic to and from the Haleakala National Park, which has been closed since Monday. She says:

Many small businesses like mine felt an immediate impact on our sales as tours cancelled their trips into Hawaii's most visited attraction.

Last night I got an e-mail from someone who is waiting on a small business loan that is not coming through because of the delay in processing SBA loans. This person is expecting to have to lay off 40 individuals from their small company.

So the idea that this is somehow a pro-business shutdown, the idea that they are protecting the rights of employers, the idea that this is in any way good for the economy is just belied by all of the facts.

Personally, working with a reduced staff, I began answering phone calls myself this week and many of the stories were similar: Without pay and Federal services, life has become uncertain and worrisome for thousands of families. This is all because House Republicans are throwing a temper tantrum and refusing to take a reasonable vote to reopen the government. This really is a tea party temper tantrum, and it is totally unprecedented. It is a low point for the Congress.

But there is a solution to this, and the senior Senator from Michigan pointed it out. It is simple. All that has to happen is for the Speaker of the House to put our legislation on the floor and let the House vote. There is a broad bipartisan majority of Members of the House of Representatives who want to reopen the government.

So I have two questions. First, for the media and for the constituents of Speaker BOEHNER: Please ask him, why in the world—if there is a majority of Members of the House of Representatives prepared to reopen the government—why he would not use his authority to put that legislation on the floor? And I ask everyone to ask all of their Members of Congress to let the House vote. If we let the House vote, this crisis will be done on Monday morning.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRANKEN. Mr. President, I rise today to speak about reopening the government. We are now 5 days into a government shutdown that should never have happened. Minnesotans do not want a government shutdown. They want us to do our jobs, not refight the same old political battles over and over. With each day of the shutdown I hear more and more reports

about how it is affecting Minnesotans, as I am sure the Presiding Officer hears about how it is affecting the people of Maine.

Minnesotans seeking basic government services are being turned away. Hundreds of people go to the Minneapolis Social Security office each day to get Social Security cards. But on the first day of the shutdown, according to the Minneapolis StarTribune, those Minnesotans—some of whom took time off from work and drove long distances—arrived to find the card center closed.

Minnesota's small businesses are also feeling the impact. Small businesses in Minnesota receive an average of \$1.8 million in loans every day under the Small Business Administration's Guaranteed Loan Programs in 2012. With the government shut down, these programs will no longer take new applications and our businesses have to put their plans on hold.

It is not just businesses that are facing problems getting access to loans. Minnesota is home to a lot of great, smaller financial institutions. We have the second most community banks in the country. It is the home of a lot of credit unions, and I talk with them regularly. Earlier this week, I met with folks from some Minnesota credit unions, and they explained to me that as a result of the shutdown, they are having problems approving mortgages because the Social Security Administration can't verify Social Security numbers. That is not just bad for those Minnesotans who are trying to buy or sell a home, it is also bad for the economy.

This week my office heard from one of those Minnesotans who is in the process of buying a home. Jesse is using a USDA Rural Development loan. His banker now has all of the documentation compiled and ready to be submitted to Rural Development for approval, but they are shut down. Jesse was originally supposed to close on October 11, next Friday, and the sellers were scheduled to close on another property right after closing on the property they are selling to Jesse.

Jesse and his family are now living with his in-laws, and they have all of their possessions in storage. He doesn't know whether he will be able to close on his new home—all because some people thought it was a good idea to insist on shutting down the government to repeal the health care law, which isn't going to happen and never was going to happen.

Jesse is really frustrated and disappointed. He felt compelled to let me know how this is affecting him and other people. He asked me to do whatever I could possibly do to end this shutdown quickly.

The shutdown is also affecting other Minnesotans who depend on vital programs, such as Federal nutrition programs. An estimated 125,000 Minnesota mothers and mothers-to-be depend on the Women, Infants, and Children Pro-

gram, or WIC, so they can buy healthy food for their families. With the shutdown no new Federal funds are available to support WIC. That puts the program in Minnesota, and the women and children it serves, at risk. Hopefully, we can avoid any terrible consequences by getting the government up and running as quickly as possible.

But in some other States, such as Utah—according to Forbes—they have already stopped accepting new participants.

In a shutdown the Administration for Community Living in the Department of Health and Human Services can't fund senior nutrition programs such as Meals On Wheels. Seniors who rely on Meals On Wheels face uncertainty. If the shutdown goes on, State and local agencies will not be able to replace Federal funding and that will result in an outright inability to access the program. That is why I will be donating my salary during the shutdown to Second Harvest Heartland. It is a great hunger relief organization which works throughout Minnesota to help people who need to get food.

Meanwhile, Minnesota's farmers cannot get the resources they need. Susan Magadenz, a constituent of mine from Eden Valley, MN, works at the USDA Farm Service Agency. She wrote me to say:

This shutdown has cut off services to thousands of American farmers. They cannot get grain checks released and are missing access to funds they require to carry out their operation.

The shutdown is hitting Minnesotans in many other ways as well. The shutdown means that the National Institutes of Health is not awarding any new funds or making payments on recently awarded grants. The Mayo Clinic receives 40 percent of its research funding from NIH grants. By the way, this is one of the many reasons we are going to have to address the sequester. This sequester has hit vital NIH funding really hard, even though this is an agency that some people seem not to have noticed until the shutdown.

Speaking of the effects of the shutdown compounding the damage from the sequester, tribal schools are being hit even harder because they get a substantial part of their funding from the Federal Government in what is called Impact Aid. Impact Aid is Federal money that goes to school districts where Federal property or Federal activities significantly reduce the local tax base. The biggest recipients are the schools on military bases and on Indian reservations. We have 11 tribes in Minnesota, and some of them get about one-third of their school funding from the Federal Government.

I am on the Indian Affairs Committee, and I can tell you that the sequestration has been hitting them even harder than it has been hitting other people. These are some of the most vulnerable kids in the country. Their afterschool programs are being canceled because of the sequester. And

now, on top of that, Impact Aid is at even greater risk because of the shutdown. That is not right. It is just wrong.

Some veterans services, through the Department of Veterans Affairs, are already being curtailed, and if the shutdown goes on for very much longer, VA will not be able to process benefit claims and payments, aggravating the claims backlog we have been working so hard to address.

These are just some of the effects the shutdown is having on Minnesotans. People are suffering. Minnesotans who have written and called my office want Congress to get things done, do our work, and not shut down government. More than a week ago, I voted—with the Presiding Officer and a majority of my colleagues in the Senate—to pass the bill to keep the government open and prevent the damage that a shutdown does to our country and to our economy.

The House could take up that bill and pass it in a matter of hours, and it would reopen the government immediately. It has been widely reported that enough Republicans and Democrats support that bill for it to pass in the House if Speaker BOEHNER would only put it up for a vote in the House. That is all he needs to do. Let the full House vote on the continuing resolution. But the House hasn't done that.

Instead, a faction of the Republicans in the House has decided that rehashing old political fights and political brinkmanship are more important than getting back to the job we were sent here to do, which is putting Americans back to work, improving education, and strengthening our economic recovery.

Earlier this week I was asked what I would be working on if there were no shutdown. I would be working to pass my Community College to Career Fund Act. This legislation is aimed at closing what is called the skills gap. What is a skills gap? Recent studies in Minnesota show that about one-third to one-half of all manufacturers in our State have jobs they need filled, but they can't fill them because they don't have people with the skills to fill them. There are more than 3 million of those jobs across the country that are going unfilled because of the lack of workers with the right skills. My bill would help those companies that have open positions. It would help workers find jobs, and it would help our country be more competitive globally. It would address college affordability. It is the kind of thing we need to be doing.

I have seen partnerships between businesses and community colleges in Minnesota that work—at Hennepin Technical College in Hennepin County, for example. A group of manufacturers worked with the school, Hennepin Technical College, and created a curriculum where students could get credentials. I went to a roundtable there and they told me they had put over 300 students through this course and 93 percent of them had permanent jobs.

The manufacturers who are involved in this partnership had skin in the game. They gave Hennepin Tech machines and helped design the curriculum. Now they have people filling the jobs that need to be filled. I have seen this model work throughout Minnesota, and I have seen it work throughout our country.

However, we still have a skills gap. That is why my bill would create a competitive grant program to incentivize partnerships between businesses and community colleges. This isn't just manufacturers; it is in health care, it is in IT. It would incentivize businesses and community colleges to create programs targeted at getting workers the skills they need to fill these jobs.

This is what I want to be working on. This is what the Presiding Officer wants to be working on for the people of Maine. This is the kind of thing Americans sent us to do. Americans want us to learn from strategies that are succeeding in our States—in Minnesota and in Maine—and then work together to make our country more prosperous and stronger. What else are we supposed to do? That is why they sent us.

I recognize we have political differences we have to work through, but brinkmanship and crises can't be the rule; they should be the exception. After the debt ceiling crisis in 2011, Standard & Poor's downgraded our Nation's credit rating and they cited the dysfunction in Congress as a main reason. After that, people thought—I thought and I believe most people in this country thought—OK. We have learned our lesson. We are not going to govern by crisis and brinkmanship.

In fact, this year, in March, the Senate passed a budget through the regular process, through regular order. The House passed a budget—a different budget, but that is the way it works—and then we are supposed to get together for a conference. We have sought for months to have a conference with the House to resolve the differences in regular order. But we were blocked by the same Senators who thought it was a good idea to shut down the government and to defund the Affordable Care Act. The House has simply refused to go to conference; instead, they waited for the government shutdown and then sought to go to conference on a 2½-month continuing resolution that would delay the health care law for 1 year.

That is irresponsible. Minnesotans and Americans want us to govern responsibly.

Brenda Gregorich from Duluth wrote me on Wednesday about her husband, a disabled veteran whose disability benefit is now further delayed due to the shutdown. She says:

We would rather do without, than have you give in to delaying the Affordable Care Act. Please stand strong and do not let anyone change or delay this. We will sit tight without income while you work towards this.

Overwhelmingly, Americans do not want us to shut down the government to stop the implementation of the Affordable Care Act.

Earlier this week, Minnesota's health care exchange opened and, according to Minnesota Public Radio, received approximately 100,000 Web hits on its first day—the second highest number of hits in any State. Believe me, we are not the second largest State.

So the shutdown is not actually stopping the implementation of the health care law; instead, the shutdown is threatening to do serious damage to our economy.

Today, jobless claims are close to a 5-year low. The second quarter of 2013 marked nine consecutive quarters of economic growth. The private sector has created 7.5 million jobs over the last 42 months. There are more people on private, nonfarm payrolls than at any time since September of 2008.

But the shutdown is putting our still fragile economic recovery in jeopardy. Moody's chief economist Mark Zandi testified before the Senate a few weeks ago that a shutdown lasting just a few days would cost the economy approximately 0.2 percent of GDP, and a longer shutdown could cost it as much as 1.4 percent. The U.S. Chamber of Commerce has called on Congress to keep the government open stating:

It is not in the best interest of the U.S. business community or the American people to risk even a brief government shutdown that might trigger disruptive consequences or raise new policy uncertainties washing over the U.S. economy.

This shutdown is painful for our constituents and it is damaging the economy. Everyone should understand this is costing the government money. Some people may think at least if the government is shut down, we are saving money. But, actually, the very opposite is the case. Recently, in the New York Times, they had an editorial that detailed some of the reasons shutdowns end up being very expensive. A shutdown government cannot collect fines and fees, contractors build in the cost of the shutdown and the added probability of future shutdowns to how much they charge the government. Furloughing government workers means lost productivity. Lost economic output means lower tax revenue for Federal, State, and local governments.

This shutdown is unnecessary and it is irrational. Please, let's reopen the government and get back to the work the people elected us to do.

I thank the Chair.

THE PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, today marks the fifth day of the government shutdown. With each passing day, the consequences grow more severe, more people are affected, and the implications grow far more serious.

Federal civilian employees working to support our National Guard, overhaul our nuclear submarines, and analyze the latest terrorist threat are

being furloughed, leaving us less safe as a country. I understand this afternoon Secretary Hagel, in response to a letter the Presiding Officer and I signed, along with many of our colleagues, is recalling some of those civilian workers. But there are still other implications.

Disabled veterans who have sacrificed so much for this country are facing delays in the handling of their claims. Pregnant women and little children who depend on the foods provided by the WIC Program are at risk. Vital biomedical research is being disrupted such that even the sickest children cannot enroll in clinical trials at the National Institutes of Health.

The impact goes beyond these services provided by essential Federal programs. Jobs in the private sector are affected as well. In Maine, our gem of a national park, Acadia National Park, is shuttered during the peak of the foliage season. This not only disappoints tourists, it hurts the innkeepers, owners of bed and breakfast organizations, servers at restaurants, and the small gift shop entrepreneurs who depend on these tourists during this time of year.

The list of harm goes on and on and on and worsens with each passing day. It is time for this shutdown to end.

From the start of this debate, I have urged our House colleagues not to adopt a policy that linked ObamaCare with the funding of government. I have been outspoken in my own opposition to ObamaCare and have cast many votes consistent with that position. I have cosponsored and introduced bills to reform the law so we can better rein in health care costs and truly help the uninsured without jeopardizing their jobs and without imposing billions of dollars of new taxes, fees, and penalties that discourage job creation and drive up costs. But the fact is the Democratic Senate is never going to pass, nor is President Obama ever going to sign, a bill that repeals his signature accomplishment.

So now that we have all made it crystal clear where we stand on ObamaCare, it is past time that we reason together on how to bring this impasse to an end. In that regard, I must express my own disappointment in the lack of results from the President's meeting with congressional leaders and what I understand to be the President's refusal to enter into negotiations with Congress.

So let me present to my colleagues and to the President for their consideration a proposal to bring an end to the shutdown. The proposal is based on concepts that have been discussed by Senator PAT TOOMEY and Congressman CHARLIE DENT, and they also reflect my own personal discussions with many of my colleagues on both sides of the aisle.

Even the staunchest advocates of ObamaCare, including the President himself, recognize the law is not perfect. What 2,000-plus-page law dealing with extremely complex issues could

be? The President himself has delayed the implementation of the employer mandate and certain consumer protections.

I have, therefore, searched for common ground on reforming ObamaCare, seeking a proposal that has widespread bipartisan support in order to attract the necessary votes of our House colleagues on both sides of the aisle; that is, the repeal of the 2.3-percent tax on the sales of medical equipment. When such an amendment repealing this tax was considered by the Senate during the budget resolution, it passed by a resounding vote of 79 to 20. Clearly, it has strong bipartisan support.

This \$30 billion tax on medical devices such as pacemakers and defibrillators will cause the loss of as many as 43,000 domestic jobs, according to industry estimates. It will reduce investment in research to produce new medical devices and, ironically, it will increase health care costs because the manufacturers will simply pass on the costs to consumers.

Now the administration has protested the idea of repealing this tax because it would lose \$30 billion in revenue over the next 10 years. Fair enough. Let's make up for the lost revenue by providing an offset. It is a complicated one, but it works. It is called pension smoothing. It would smooth out the amount of payments businesses make into pension plans. This is not an unusual concept. New York State has adopted it to allow local school systems to reduce their annual pension contributions somewhat next year in exchange for higher payments in future years. The result of allowing private businesses to smooth out their pension contributions would produce tax revenue by lowering their deductions, and that could be used to offset the cost of repealing the tax on medical equipment.

Second, I would propose that the continuing resolution funding government include a bipartisan bill that Senator MARK UDALL and I introduced earlier this year to give agencies flexibility to deal with sequestration. It makes no sense at all for Federal managers not to be able to set priorities and then submit their plans to the appropriations committees as they do now with reprogramming requests. Sequestration is a flawed policy. It does not discriminate between absolutely essential programs and those that are duplicative, wasteful, or simply less important. Now, it is Congress that should be making these decisions, but if the across-the-board meat-ax cuts of sequestration stay in effect, the least we can do is let Federal managers set priorities and manage their budgets subject to congressional oversight.

It is my hope that if repeal of the medical equipment tax, offset fully by the pension-smoothing proposal, plus the Collins-Udall flexibility bill were combined with a continuing resolution to fund government, we might well have the combination necessary to se-

cure the votes and reopen government. Surely, it is worth a try. So on this late Saturday afternoon, I offer this proposal, and I urge my House colleagues to send us such a bill, which I would then urge the Senate majority leader to schedule for an immediate vote.

We have a lot to do to restore the public's confidence in our ability to govern. We can start by offering and voting on specific proposals such as this one. It is time that both sides come out from their partisan corners, stop fighting, and start legislating in good faith. The shutdown represents a failure to govern and must be brought to an end.

Thank you, Mr. President.

THE PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I am not happy to be here, but it is an honor and a privilege to be on the Senate floor representing the people of Louisiana and speaking for constituents around the country on this important subject. It is unfortunate we are here today because of the irresponsible behavior of one group of Members from one party in basically one Chamber.

While I most certainly respect my colleague from Maine and think that the proposal she has generally outlined has a lot of merit—and I would add, there would probably be 15, 20, or 25 other Senators from both parties who have worked together to find common ground on many issues who could come up with equally meritorious proposals—it misses a very important point. The point is simply that the House Republicans and a handful of Senate Republicans have forced the government into a shutdown, hurting their own constituents—hundreds of thousands of their own constituents—and small businesses in their districts that do not deserve in any way to be dragged into this fight or to be used as bait in these negotiations. That point cannot be understated, and it cannot be ignored.

This whole issue is not caused because neither side can compromise or we cannot find common ground. We have proven that over and over on hundreds of issues. I myself, along with the Senator from Maine and the Presiding Officer—who is new here but not new to government—have been part of dozens of extraordinary efforts when there did not seem to be any way forward to find a way. So we know how to do that. We can do it. The problem is that there is a rump group of Republicans and the Republican House leadership that have made a terrible mistake in shutting the government down and putting government workers and our private sector partners—and I want to underscore “our private sector partners.” This government does not work with just Federal employees alone. They do the bulk of the wonderful work—many of them do—that we rely on every day—our neighbors, our relatives, our aunts, uncles, et cetera. But the real power is

not just with them, it is with the private sector that helps this government and our nonprofit and not-for-profit sector that joins with us in fulfilling the missions, the important missions of government that have been put at risk.

What that rump group did, though, was basically take all of this hostage until they get something. What they want to date is not clear. They want many things, all sorts of different things. One of them is to repeal the Affordable Care Act or to dismantle it in such a way that it cannot work to provide for the first time in the history of America affordable access to health insurance. There are other reasons that have been stated. They do not like the spending levels. They do not like the debt. They do not like Democrats generally. They do not like President Obama. There have been many things I have read about what they have said.

But no matter what they have said, their actions are irresponsible, reckless, and neither the President nor the Democrats should enter into negotiation with a gun to our constituents' heads. That is as simple as it is. There is a difference, but it is an important difference. House Republicans cannot get Democrats to any negotiating table unless they put the weapons down. These weapons are being used against their own constituents and their own businesses in their own districts, and it is not fair.

I want to read from one of my constituents, who says it better than I could. It is one of the messages that came into our office. We have been closed but functioning with a small staff. This message is from Vicki Cusimano, whose husband Mark is a 13-year military veteran who works on planes as a technician at one of our great air stations in Belle Chasse, LA, which, by the way, would be on high alert today because there is a storm out in the Gulf of Mexico. Thank goodness it is not a hurricane, but it is tropical storm Karen that has put the whole gulf coast a little bit on edge. It is not a huge and powerful storm, but these storms are unpredictable, as the Presiding Officer knows, being from a coastal State himself, how these things can happen.

Anyway, Belle Chasse is right there. Vicki is there with her husband Mark, a 13-year veteran. Mark says:

They've—

Speaking of Congress—

just pushed us away and said, "Hey, we're going to fight, and you're going to pay for it." Well, they're still getting paychecks. We're not, and now we're trying to figure out how we're going to fend for our families.

That is what Mark said.

Vicki says:

We have bills [to pay], and you can't tell Wells Fargo, "Sorry. I can't pay my house note today because the federal government has furloughed my husband."

So I want to clarify because I have been one of the ones saying we do need to negotiate, but we need to negotiate

without a gun to our head. We need to negotiate when the House decides and the House recognizes that their reckless behavior cannot be encouraged, that it is wrong. I know it is hard when you make a mistake to admit you are wrong. It is very difficult to do. But this would be a time to do it and then move on to negotiations that we can have over everything, whether it is the Affordable Care Act, whether it is the budget, whether it is appropriations. I am chair of the Homeland Security appropriations bill. I most certainly know how to negotiate a major bill, \$42 billion. DAN COATS is my ranking member from Indiana. We have been in negotiations literally on and off for years as partners on the Homeland Security bill.

But when we asked, the Democrats and the President—but the Democrats asked to go to the budget conference to work out the differences between the budget in the House, the Ryan budget, and the budget in the Senate, the Murray budget—which, unusually, was cast during the same week. People will not even remember this because it was so long ago. It was sometime in April, sometime in April. The House passed their budget after an open, raucous debate. We passed our budget. I think we stayed on the floor until 5 o'clock in the morning, as I recall. I can remember being very tired and everybody was pretty aggravated. But we stayed here. We got our work done.

So when people call for negotiation, the time for negotiation was then, and we can still have this 6-month-delayed negotiation. But the House Republicans—the tea party Republicans and House Republicans—have to put their weapons down. You cannot negotiate with a gun to your head. It is not fair—not just to us but to our constituents and to our businesses.

I am saying to my delegation and to the House Republicans: Do not use these reckless and irresponsible tactics. In addition, do not even threaten—do not even use the threat of not living up to the full faith and credit of the United States of America. You are really playing with fire then. That is what I believe the President is saying. That is what Democrats are saying.

Now, we have proven—it is not a matter of conjecture or a matter of guessing or a matter of, well, they say they negotiate, but they really will not. This is the record. Here is the record. This is evidence. This is not something anybody made up. It is in the CONGRESSIONAL RECORD. I am not going to read the whole sheet here, but I am going to say—what this says is that on 19 separate occasions Senator REID or Senator MURRAY or Senator WYDEN or one of the Democrats came to the floor—and here are the dates: April 23, May 6, May 7, May 8, May 9, May 14, May 15, May 16, May 21, May 22, et cetera, et cetera, June 19, 26, July, August, and then the latest was October 2. OK. Those are the facts. On every single occasion, there was one

out of six Senators who stood on behalf of the others here and blocked it and said: No, we cannot, we will not go to a budget conference. Those Senators were Senator MCCONNELL on May 8, Senator MCCONNELL on May 9, et cetera, et cetera, Senator PAUL on May 21, Senator TOOMEY on June 19, Senator CRUZ—who has been the leader of this irresponsible and reckless strategy, which I do not think is getting his party or his future anywhere, but I will have to see about that—MIKE LEE on July 17, and then Senator RUBIO on August 1.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. LANDRIEU. Mr. President, I ask unanimous consent for 5 more minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. LANDRIEU. So this is the record. When people say Democrats have not been willing to negotiate, that is false, false, false. We have been trying to negotiate for 6 months, and the way you negotiate is going to a budget conference.

Even now we are in control of the Senate. People elected us. No one appointed me to be here. The people of this United States elected us in a fair and square election. Some of us won by a lot, some of us only by small amounts, but it was an election by the people of the United States. The people elected the Republican leadership in the House.

They passed a budget. We passed a budget. All we have to do is go to conference. Not everyone in Washington is reckless. Not everyone loves to fight over our constituents' misfortune of unemployment and lack of business. There is a small group that put them on the chopping block. They need to take them off. They should not be used as fodder in political fighting and debate. It is not right. That is the argument.

When they remove the constituents and re-fund the government and put the government open again, we could then ask to go to conference. This time they should say yes. They just have to not show up. Sit at your desk and do not say anything, do not object. We will go to conference, a budget conference. Then you put everything on the table. Everything. You can talk about anything you want. You can talk about taxes, no taxes. You can talk about how much money you want to spend overall. Most importantly, you can decide how much revenue, how much in taxes you want. What the American people want is a budget. We have not had one for a while. We need to get one. We have had spending limits, but we have not had a budget. We have had spending limits, but we have not had a budget. Let's get a budget.

Then those of us who are appropriators—I am one of those, and in charge of helping to try to build the homeland security budget—the chairman then will give us the number that is agreed



to by the Democrats and Republicans. They will say to me and Senator COATS: Okay, you have X amount of money to spend. You have lots and lots of requests out there. You have lots of responsibilities. Let me list a few: Securing the entire border of the United States, all airports, all land ports, all river ports. We have to check all the cargo that comes into the country.

Our budget funds TSA, not the most popular group. But we try to keep our air travelers safe and support international commerce at every level. Every business traveler who is trying to cut a deal in Germany or in England or in Asia has to get either preclearance or global entry or travel. We support that effort. We want our businesses out there making contracts, bringing jobs to America. We cannot do that if this budget does not get done. So give us a number. We will put the budget together the best we can together. We will live within the restrictions that are given to us—or the guidelines. We will not spend one penny more than what the budget tells us.

But we cannot even get there because not everyone is being reckless. Not everyone is being unreasonable. There is clearly an identifiable group, led by the Senator from Texas. One of his colleagues or someone in the press—I am not sure who, but it was a great quote—said that Senator CRUZ has led the Republican Party and the tea party into the middle of eight lanes of traffic and walked away. Eight lanes of traffic with traffic coming both ways is a very unsafe and dangerous place to be. They are going to have to find their way to the side of that road.

Open the government, and then say yes to a budget conference where all things can be negotiated, and have been for literally hundreds of years. This is not a new process the Senate and the House have been undertaking. This is regular order.

I am going to end here. This is day 5. I want to have this printed in the RECORD, since they are in the middle of traffic now, with very few safe ways out, but we could open the government and get to the negotiating table.

I want to have printed in the RECORD that for businesses, 800,000 workers—I know they passed a bill a little while ago to say those workers could be paid. That is important to do. But, again, it is not just workers. What about the contracts they are supposed to be giving out or the projects? They still do not have authorization even if they come back to work to do that. It is going to affect business. Let me say how much.

The Federal Government spends \$400 billion in the private sector. That is \$1 billion a day. So this reckless behavior has already cost \$5 billion; every day \$1 billion gone.

Is their resolution in the House going to reinstate that \$1 billion that small businesses have lost or business generally? I do not think so. I did not read

the fine print. I do not think that is in there. Every day, if you say 25 percent of all of our contracts should go to small businesses, that is \$240 million a day for small businesses lost.

The government roughly makes about 150 loans to small businesses every day. We are in day 5. That is 600 loans gone. I could go on and on with every day how that affects businesses.

I am happy to see, in conclusion, that the House, in realizing they are in a bad, bad situation, has sent a lifeline out to the 800,000 Federal employees, their own constituents that they put on the chopping block and took these paychecks as negotiating fodder because they do not like the bill that passed 3 years ago, upheld by the Supreme Court, and being implemented in the majority of States, including States with Republican Governors.

That is foolishness, recklessness, and irresponsibility. But that is what they did. We did not do that; they did that. If we open the government, get contracts going again, stop threatening small businesses that have nothing to do with this, then we can go to the budget conference and open everything for negotiation.

Maybe we can do the medical device tax. I would like to work on flood insurance, for one. My constituents are going crazy. Flood insurance has gone up tenfold. I cannot even get to a negotiating table. We would like to pass the WRDA bill in Louisiana. I would like to see the Keystone Pipeline negotiated. I am for the Keystone Pipeline. The President is against it. But maybe we can find some way forward.

But we cannot go anywhere until we get out of eight lanes of traffic. The only way to do that is to admit you were wrong, open the government, and then go to conference and put everything on the table and let's talk.

I see my good friend from Connecticut here. I thank him for joining us on the floor today.

I yield the floor.

#### EXTENSION OF MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I ask unanimous consent that the period of morning business be extended until 5 p.m. today, with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONTINUING APPROPRIATIONS

Mr. MURPHY. Mr. President, let me thank my great friend from Louisiana for her remarks and for all the work she has done to stand up for her constituents, but also for small businesses. I think she makes a great point, that right now there are thousands of small businesses throughout my State, the northeast, throughout the Presiding Officer's State as well, that are waiting

for loans from the SBA that cannot get them because right now the SBA is essentially out of business. That right now is having a detrimental effect on our economy.

I thank her for her great advocacy on behalf of the small businesses throughout Louisiana and across the country.

There is a lot of truth to the fact that there can be mutual blame thrown around this place very often when it comes to the reasons why we have not solved a lot of our most vexing problems as a nation. The deficit, for instance, did not get to be the size it is without both parties playing a role in the fact that we still sit back without the will to try to take on that enormous problem and burden we are leaving to our kids. That is due to both Republican and Democratic intransigence.

There are a lot of things that happen here in which you can very accurately and appropriately assess that both sides of the aisle have been part of the blame. This is not one of them. This is not one of them. When it comes to trying to figure out the reasons why our government is shut down, it is pretty simple to explain how we got here.

Yet I have heard a lot of my friends on the other side blame the majority leader and blame the President for the shutdown. I have even heard some newscasts try to suggest that it is just sort of good old-fashioned generic gridlock here in Washington that has led to this shutdown.

Mostly the American public gets it. I think mostly the American public understands that this is essentially a shutdown of the Federal Government caused by a small band of ideological conservatives in the House of Representatives called the tea party. I have sort of tried to struggle with how to explain this to the handful of people back in Connecticut who still do not understand what is going on, although there is no way to create an analogy that works.

I mean this shutdown is so ridiculous, it is so unique that there is no metaphor that works. I have tried this one. Imagine that there is a couple. They live in Boston, let's say. The wife loves living in Boston, but the husband has sort of been fed up with Boston for a little while. He wants to move to the west coast, let's say to San Francisco. But they have been living in Boston for a long time. They have this disagreement as to what to do next. They have been having it for a while. They have not sorted it out. But they chose to live in Boston, so that is where they continue to be.

Well, one day the husband comes home and says to his wife: You know what. I have had enough. I have had enough. I want to move to San Francisco. If you do not agree, I am going to call up some contractors and have them come over and take the roof off our house.

She says: What are you talking about? Take the roof off our house? I

never talked about the roof coming off our house. The roof is important. It keeps us warm. It keeps us dry. You are kidding, right? You are not going to take the roof off the house.

He said: Listen, I am going to give you 3 days. If you do not agree to move to San Francisco, then I am going to call someone and take the roof off of our house.

She says: Well, of course, I am not going to do that. Of course I am not going to move to a place that I do not want to move to. We should talk about that. We should come up with a compromise. We should discuss this. Certainly I am not going to agree to move to San Francisco if you are threatening to take the roof off the house.

Three days go by. She goes to work. She comes home, and the roof is gone. He took it off. She cannot believe it. She cannot believe it. Rain is coming in. It is the middle of winter. It is freezing cold. It is miserable.

He shows up to work on the second day, and says to his coworkers: You cannot believe what my wife did. She took the roof off our house.

The coworkers say: Well, what do you mean?

I told her we had to move to San Francisco. And when she did not agree, I told her I was going to take the roof off the house. I did, but it was her decision. She would not move to where I wanted to move. So I had to go through with it. I had to take the roof off the house.

If you were that coworker and listened to that story, you would know exactly what was going on. You would know exactly who to blame. You would associate yourself with the decision the wife made and say: Forget it, I am not moving somewhere with that threat hanging over my head. You would back her up when she said: Put the roof back on the house before we start discussing about where we are going to live next.

That is essentially what has happened here. We had always assumed that the operation of the Federal Government was not something we negotiated over, just like the woman in my analogy assumed that the roof being on the house was not something that she had to worry about disappearing.

Yet here we are. The government is shut down simply because of the demands of a small group of tea party Republicans in the House of Representatives. Their demand in this case is they want the health care law repealed, despite the fact that it was passed by two legislative bodies, signed by the President, upheld by the Supreme Court, verified in an election in which a President who said he would implement it was reelected by a huge margin. Every single Senator in the Senate who supported it and ran for reelection was reelected.

That is their demand in this case. As the Senator from Louisiana said, we should react as we would expect that woman to react. We want the government back up and operating, and then

we will talk. I want the roof back on my house before we discuss where we are going to live.

This isn't about politics any longer. This isn't about inconvenience.

We are now going into the second week of this shutdown. It has started to ruin lives, such as Melanie Rhodes' from Bridgeport, CT. A few years ago Melanie was homeless, living out on the streets. Things were very tough for Melanie. Melanie became pregnant and had a little boy, a wonderful little boy about 2 months premature, a wonderful little boy named Malachi. Malachi had some developmental issues right off the bat, but she knew her life had changed and she had to do everything possible for her little boy. She placed him into the Birth to Three System, our early screening program. They identified the problems he had. He was connected with a Head Start Program in which he was enrolled at about 9 months old.

Malachi is still behind his peers at 3 years old, but he is doing a lot better. He is beginning to finally communicate with a handful of signs. Every day he has been in that Head Start Program his life and her life have become better. Even though she has been struggling through the worst recession of her life, of my life, of most of our lives, she started to turn the corner very well. She applied everywhere over the last 3 years. She did everything we would have asked of her to try to find a job. She applied with Walmart, Walgreens, and McDonald's.

Finally, in the past few weeks she got a job as a busdriver. She had completed her training, was waiting for her background check to come through, and was to start her job in a matter of days. She stayed up all night last Monday night, past midnight, watching CNN, watching the news, to see if the government was going to be up and operating. She knew the Bridgeport Head Start Program runs on a budget that expired at the end of September. That was one of the handful of programs that would shut down immediately upon the shutdown of the government.

She woke up on Tuesday morning and hoped against all hope by calling Head Start to see if they were going to be up and operating, and they weren't. They had shut down. Bridgeport told 1,000 families across southwestern Connecticut that they couldn't show up for preschool that day. Their families had to scramble to find some kind of coverage for childcare.

For Melanie it was a double disaster because she has a child with developmental disabilities. She can't have just anybody take care of him, and she is having a hard time finding someone. She is now going to be faced with not only inappropriate care for her child, perhaps setting him back developmentally, but she also probably can't start that job she was waiting for.

If we take this situation and multiply it times 1,000 in only one city in Connecticut, then look at the fact that

that problem could be multiplied 18,000 times over the course of next week as more Head Start Programs shut down, we see this shutdown is not about politics. It is not about inconvenience. It is about people's lives falling apart.

What about the 1,500 workers at Sikorsky Aircraft, the majority of whom are in Connecticut. They have 43 employees from the Federal Government who inspect the helicopters as they go down the assembly line. But because those helicopter assembly lines are making Black Hawk helicopters for the U.S. military and they move pretty fast, if they don't have those inspectors for a handful of days, they can't continue to move the assembly line.

On Friday, 1,500 workers were furloughed from Sikorsky Aircraft, let go until those inspectors are back on the job—43 inspectors equal 1,500 private sector layoffs.

When you are laid off from a job, sometimes if you can see it coming, you can try to make arrangements. If you are on a paycheck-to-paycheck basis, where everything that comes in goes right back out again to pay your food bills, mortgage, student loans, whatever it may be—if you can see the layoff coming, then you might be able to scramble to find a part-time job or save a little bit more for the final few months of your employment. But when you get a notice in 2 days you are going to be laid off for an indeterminate amount of time, there is no way for the people who are living paycheck-to-paycheck to put their lives together.

As Senator LANDRIEU said, that results in mortgage payments being missed, in credit ratings going into the tank, and lives being ruined off of a purely political crisis caused by a handful of rightwing Republicans in the House of Representatives.

I hear my friends on the other side of the aisle and Speaker BOEHNER say, yes, but if the Democrats would only negotiate, would compromise, we could get this thing done. Before I yield the floor to my friend from Rhode Island, I wish to say two things about that insistence from Republicans that the problem is not their demands that the health care law be repealed before we open the government but it is that Democrats will not sit down and negotiate.

I think the Senator from Louisiana said it best: It makes no sense to negotiate with a gun to our head. Open the government and we will sit down and talk about anything the other side wishes to talk about.

Let us also discuss what the positions of the two parties are. Republicans want the most important achievement of President Obama's first term repealed. We want the government to continue to be operational. Republicans want a law taken off the books that will ensure 30 million more people with health care. We want the government to continue to pay its bills.

What I am trying to say is that we don't actually have demands. All we

want is what our constituents have always expected to happen to continue to happen. All we have asked for in this crisis created by tea party Republicans is for the government to be open and for the government to continue to pay its bills.

We could make a bunch of our own demands. I think it is ridiculous that we don't have background checks on the purchase of firearms in this country, but I am not saying I am going to shut down the government unless I get my way on background checks. All I want is the government to be open and for us to pay our bills.

Second, normally one negotiates when we don't have consensus. Normally, we sit down and compromise when 50 percent of the Senate and 50 percent of the House doesn't agree to the exact same thing. That is why we have to sit down and talk—because we do not have consensus.

We do. We have a bill, which is the clean continuing resolution—and otherwise just keep the government open and operating for another 6 weeks on the same rules it used to be operating under. We had, I think, 54 votes in the Senate. It is publicly supported by a majority of the House of Representatives.

Why would we negotiate when we already have a bill that is supported by the majority of the Senate and the majority of the House? The only thing that has to happen in order for the government to get back and on its feet is for Speaker BOEHNER to call a vote on that bill. It makes no sense that Speaker BOEHNER says sit down and negotiate, when there is already a proposal pending before the House that has the support of the majority of both bodies.

We don't have a lot to negotiate over because all we want is the government to open and for us to pay our bills. We don't need to negotiate because we already have a proposal that enjoys the support of the majority of this body and the majority of that body.

Tea party Republicans should stop holding this country hostage to their ideological demands. Speaker BOEHNER should call a vote on this bill tonight and this totally self-created crisis could come to an end today.

I yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Rhode Island.

Mr. REED. I ask unanimous consent to speak up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, we are 5 days into the government shutdown, but unfortunately there has been no progress in resolving this issue. I disagree with some policies championed by my colleagues on the other side of the aisle, and indeed I sometimes disagree with the President and Members of my own party on specific policy prescriptions. Case in point: raising the student loan interest rate and the so-called JOBS Act. In both cases I tried

to make my best argument on the merits of the issue, and then we voted, moved on, and I am still working to try to improve both laws. I haven't given up, but I have not shut the government down because my views didn't prevail.

So I say to my colleagues on the other side, the way to change laws you do not like is not to shut down the government at the expense of your fellow Americans and at the expense of our economy; it is to try to build consensus and persuade a broad swath of the American people that there is a better way of doing things and making concrete proposals.

It has been pointed out many times before that the House of Representatives has attempted to repeal the Affordable Care Act 45 times at last count, I believe, but I have yet to hear any credible plan put forth to replace it or strengthen it or make it work better. And the American people want our constructive efforts to succeed. They would like it modified if it needs modification. But the attitude of some of our colleagues has been to just strip away the whole book of significant legislation—and replace it with what? We don't know. That is irresponsible.

This Senate and this Congress is a great institution. Our Founding Fathers, in their wisdom, set up a system with plenty of room for debate, different points of view, and checks and balances. But checks and balances are not what is happening today. The government has been shut down not because Congress can't agree on levels of funding. We agree. We have actually agreed with the House on their level. The real reason is that some on the other side of the aisle—and I do think it is just a small cadre—have a very different vision about the government itself. And this is not hyperbole. We can all recall that during the Republican Presidential primaries we had candidates seeing who could out-promise whom in terms of eliminating aspects of the Federal Government. They proposed getting rid of the EPA, the Commerce Department, the Department of Education, FEMA, and the Department of Energy—not reforming these agencies, not changing their missions, not making them more efficient or more effective, but just doing away with them—and that spirit is animated in the House today, unfortunately.

I am particularly glad that view did not prevail in the last election because these agencies are vital to all Americans. Looking back at Rhode Island, we were victims of serious historic flooding over the last several years. If FEMA had not been there to step in and help us, we would still be trying to pull ourselves together. As a small State, like Connecticut and other States, we do not have the resources to do it. We saw the same thing with Hurricane Sandy. They were there helping efficiently and effectively. And that is one of the agencies my colleagues are not allowing to operate today.

Many small business men and women in my community, manufacturers, et

cetera, have been aided immensely by the Department of Commerce. That is something else that was on the hit list during the Presidential primaries by Republican candidates.

Those of us who enjoy clean water, fresh air, and the importance of a healthy environment—i.e., every American—even if they do not notice it or admit it, their health and the health of their children would be jeopardized severely if EPA was eliminated. There are calls repeatedly to make it more efficient, more effective, make it more businesslike, and those calls have to be recognized and heeded. But the notion that we would just wipe it away and the private markets or private self-interests would ensure that our air is clean, that our water is clean, and that our health is protected is not something that is either realistic or, indeed, even something that is arguable.

There is room in this country for a range of views, and I recognize that many of my colleagues, who consider themselves members of the tea party, are simply doing their best to represent the views of those who sent them here. But I would hope everyone who has been entrusted with the responsibility of government could work together to at least make the government function—i.e., to stay open. That is a basic responsibility our constituents entrusted us with when they sent us to Washington.

There is nothing patriotic about shutting down the government, putting hundreds of thousands of people out of work, and potentially forcing our country into default. And the hundreds of thousands out of work are not just government employees. As my colleague from Connecticut pointed out, now defense contractors are beginning to furlough. These industries are the heart and soul of so many communities. When these jobs are lost, there is a multiplier effect, which affects the entire community. And this cascading series of economic problems will get worse each day we keep this government closed.

Both sides need to work together, but we have already significantly compromised on our side. Again, as the Senator from Connecticut pointed out, we are voting for a continuing resolution at the House level, not our level—a multibillion-dollar gap. We have accepted that. At least for the interim period, the 6 weeks or so of this continuing resolution, we accept the House's position. And of course, for many of us who have been arguing vociferously to end this sequestration, to increase investment, this was a significant compromise. We are not seeing that reciprocated on the other side; it is "my way or the highway,"—stop ObamaCare or nothing gets done, Government doesn't work, and we will default on our credit.

That is reckless, irresponsible, and does not serve the interest of those who sent us here.

It is time for those who are proposing the wild plans of shutting down the

government if they don't get exactly what they want to grasp the reality of the situation. We cannot keep this government closed. This closure will last as long as Speaker BOEHNER wants it to. He can, under the rules of the House, call up this bill within hours—perhaps less—or Republicans can join Democrats and sign a discharge petition to bring it to the floor regardless of the Speaker's position. Those are two paths that should be taken immediately to open this government.

We all have a shared responsibility for the government. As I sense it, one of the basic rationales of this government is to keep the lights on, keep people working. Let's get to the difficult negotiations on how we improve efficiency, how we improve operations, but we have a responsibility to keep our government open—to open it and then keep it open—and the longer this shutdown drags on, the more people will be affected. Cancer patients, young mothers, scientific researchers, Federal employees, people who take prescription drugs all are being negatively impacted. Government contractors are being laid off.

Let's work together and reopen the government for business. Let's continue to debate the issues. We have many issues we can debate but not under the sword of Damocles—of a government that is closed and an economy that is beginning to lose more and more of its momentum and strength. That harms the American people irresponsibly and recklessly for a very narrow self-interested principle.

There is another aspect here too. It is not just the government shutdown, but we are coming perilously close to a potential default on the debt of the United States. The government closure is affecting our economy dramatically, but a default on our debt could be catastrophic. There is a growing risk that this brinkmanship on the part of the Republican Party could force us to default. We are only 12 days away from a potential default because the tea party Republicans would rather play their games over the Affordable Care Act, ObamaCare, than choose to do what we have always done—pay our bills.

This is not about borrowing more money to spend more. This is about paying for those things we agreed on—Republicans and Democrats—through congressional appropriations, through legislation creating programs such as Medicare and Medicaid and Social Security.

These are obligations we have incurred, and we won't be able to pay all of them. Indeed, on October 17, unless my Republican colleagues end their obstruction, the Nation will not be able to pay its bills, causing dire consequences for American workers and our economy.

Many commentators have pointed out a default will destabilize the national and global economy. It could cause another financial crisis and over the span of a month cause an estimated \$106 billion shortfall of Federal spending that would cause a severe economic contraction.

If we can't pay our debts, then we will contract federal activity. That contraction will be multiplied in the economy. Our economic growth will slow. In fact, not only decelerate, it could collapse. Ironically, one aspect of that is it will almost overnight increase our deficit as less economic activity produces less revenue, there are more people who are laid off and eligible for unemployment insurance. It is a downward spiral.

Economists on both sides agree that it is just the specter of default that has serious economic consequences. In fact, we have already seen the 1-month interest rate of Treasuries jump over the 6-month and the year-long rates. The markets are already voting. They are nervous. They are nervous that the Republicans will carry out these threats, and you can see it in what they are demanding in order to buy the short-term paper of the United States versus the longer term paper.

We just have to look back at August 2011 to know there will be consequences. Back then, Republicans pushed us perilously close to defaulting on the debt, and that manufactured crisis set back job growth and the economy. The Government Accountability Office estimated that the 2011 debt ceiling crisis cost taxpayers \$1.3 billion in that fiscal year. It also rattled American households and created economic uncertainty. From June to August 2011, consumer confidence fell 22 percent. And I suspect that if this debate—particularly with respect to the debt ceiling—continues to pick up over the next few days, American consumers will become more and more nervous.

It took several months after August 2011 for the recovery of consumer confidence, for people to come back into the marketplace to begin to participate. The S&P index of equity prices fell about 17 percent in that period surrounding the 2011 debt ceiling crisis, and it did not recover to its average over the first half of the year until 2012. So we are going to see a market effect. We know that. That was August 2011, and indeed I am concerned that this crisis is even more perilous because the opposition seems to be more intransigent. Those people are saying there won't be any consequences to default or repeal of ObamaCare is more important than anything else, even the economic well-being of the United States.

Roughly half of U.S. households own stock either directly or indirectly through mutual funds or 401(k) accounts. So this fall in equity markets, which we saw in 2011, will cut across a wide swath of the American public. We saw in 2011, the result of the approaching deadline and debate over whether or not to pass the debt ceiling, wiped out about \$2.4 trillion of household wealth. This decline in wealth leads to a decline in consumption, and consumer spending accounts for roughly 70 percent of our gross domestic product. So put the links together: People are nervous. They pull back. The economy

pulls back. Growth begins to decelerate, in fact reaching zero—or worse. That is demonstrably the effect in some degree from what happened in August 2011, and would likely happen again—in fact, this time, perhaps worse.

Already we are starting to see some of the warning signs. We are seeing banking institutions prepare for the worst. According to the Financial Times, on October 3, 2013:

One senior executive said his bank was delivering 20-30 percent more cash than usual in case panicked customers tried to withdraw funds en masse. The move to source extra cash is a precaution to deal with an unnecessary upturn in demand, banks said. . . . Banks are also holding daily emergency meetings to discuss other steps, including possible free overdrafts for customers reliant on social security payments from the government.

But this potential consumer dash for cash is only the tip of the iceberg when it comes to entirely avoidable self-inflicted economic wounds if we get close to—and certainly if we do not raise the debt ceiling, and default.

According to The Economist, the noted British magazine, Treasuries are “more than 30 percent of the collateral that financial institutions such as investor banks use to borrow in the \$2 trillion triparty repo market.” That is the source of overnight funding for most large financial institutions and many other institutions. “A default could trigger demands by lenders for more or different collateral. That might cause a financial heart attack, like the one prompted by the collapse of Lehman Brothers in 2008.”

We are just barely understanding the inner relationships of all these different financial instruments and financial markets. But this is not the only financial instrument that could be affected. Money market funds are a prime source of investment by thousands of Americans—both institutions and individuals. According to the Federal Reserve's September 25, 2013 Statistical Release on the Financial Accounts of the United States, money market funds in the second quarter of 2013 hold \$449 billion of U.S. Treasuries.

Back in 2011, Matthew E. Zames, the chief operating officer for JPMorgan Chase and the chair of the Treasury Borrowing Advisory Committee—which offers observations to the Treasury Department on the overall strength of the U.S. economy as well as providing recommendations on a variety of technical debt management issues—wrote to at that time Secretary Geithner and expressed concern of:

. . . a run on money market funds, as was the case in September 2008 after the Lehman failure. In the event of a Treasury default, I think it is likely that at least one fund would be forced to halt redemptions or conceivably break the buck. Since money funds investors are primarily focused on overnight liquidity, even a single fund halting redemptions would likely cause a broader run on money funds.



And from the same 2011 treasury borrowing advisory committee letter:

Because Treasuries have historically been viewed as the world's safest asset, they are the most widely-used collateral in the world and underpin large parts of the markets. A default could trigger a wave of margin calls and a widening of haircuts on collateral, which in turn could lead to deleveraging and a sharp drop in lending.

What this is saying, essentially—not just in the United States but worldwide—this could have a huge, immediate, unpredictable global effect on markets, causing deleveraging, causing a sharp drop in lending, causing confusion and uncertainty. One thing we should recognize, particularly after the events of 2008, is markets do not like uncertainty. And when things are uncertain, they pull back. If the expectation is a declining market, there is a premium to the institution or individual that can get out first. When they start getting out, people notice, and then you have a stampede to the door.

The consequences that are possible are staggering, and yet we hear so many of our colleagues glibly sort of saying that, if they don't get our way on certain aspects of this bill or that bill, they are going to default on the debt of the United States. I think that approach is very, very dangerous.

We are seeing already some indications from financial markets that these factors are beginning to affect economic behavior. Again from the *Financial Times*, October 3:

Money market funds dumped October Treasury bills on Thursday, in the first sign of investor unease that Washington may not raise the federal debt ceiling in the coming weeks and risk triggering a technical default by the US Treasury on its debt.

From the Institute of International Finance this month, a well-respected organization:

Just when the global economy is showing signs of stabilization, with Europe emerging from recession, and geopolitical risks in the Middle East seem to be subsiding, consumer and investor confidence could be tested by a range of political and policy uncertainties . . . What is truly unprecedented is a possible, but still unlikely—

And I hope that is the case, unlikely—

combination of government shutdown and failure to lift the current \$16.7 trillion debt ceiling by October 17. The impact of such a failure of political leadership on business, consumer and investor confidence is difficult to say and could lead to further downgrades of the U.S. sovereign debt. Reflecting rising credit risks, 5-year CDS spreads for the U.S. have risen by 45 percent in the past 3 weeks to 33 basis points and could test, or exceed, the previous high of 62 basis points reached during the previous threat of default in 2011.

That is an indication the market is getting very nervous about what we are doing. These rising rates are not good for the United States. They mean the market is beginning to look at the default as possible and the risk is being written into the instruments that they are providing in terms of insurance, if you will, on U.S. Treasuries and other securities.

On October 17, the extraordinary security measures the Department of Treasury has had to employ since May 19 will be exhausted. The Treasury Secretary told us that. On that date, Treasury will have approximately, in their view, \$30 billion on hand to meet the government's daily expenditures which can be as high as \$60 billion. That \$60 billion represents payments for the Nation's bills on things such as Social Security, Medicare, national defense, and education.

However, some tea party Republicans have decided to dismiss this issue and say they are planning to limit the fall-out. That they should not be blamed for it because they have a plan in case of default. They call for, what they argue is prioritization, where some of the U.S. bills are paid and others are not. But their plan for prioritization is just another version of default. Indeed, the House passed legislation that would prioritize payments. However, in a letter to Speaker BOEHNER, the Department of Treasury made clear prioritizing payments "would not protect the full faith and credit of the United States" and that prioritization is "simply default by another name."

It is shocking to witness the lengths some of my colleagues on the other side of the aisle are willing to go in order to win political points and gain negotiating leverage. They are threatening the economic well-being of every American by refusing to do something, at least at this point, as essential as paying the Nation's bills. Paying the Nation's bills should be a routine matter. There is no alternative. Congress has always done so. Since 1960, Congress has acted to prevent a default on the debt 78 times, 49 of which were under Republican Presidents.

Indeed, President Reagan said in 1983 that "the full consequences of default—or even the serious prospect of default—by the United States are impossible to predict and awesome to contemplate."

Regrettably, because of some colleagues, particularly colleagues in the House of Representatives, there is a serious prospect of default, something President Reagan warned us against.

He also, I think quite rightly, pointed out the consequences are impossible to predict. The markets, frankly, are much more complicated, much more interrelated, much more driven by technology today than in 1983. Automated computerized trading was not a common feature of markets in 1983. Today it is. Today, algorithms have programs that look for declines in products and then begin to sell it's not an individual broker who says: Listen, I know this is going to be worked out in a couple of hours. It is a machine and we have seen these machines go haywire. There is a real possibility that initial reaction to a technical default on the debt could trigger some of this trading in a way that even the people who built these elaborate algorithms do not fully understand.

This is very serious, more serious today than in 1983. But President Reagan's words were prescient then and decisive then and right then and they are the same today.

This should not be a negotiating chip. Speaker BOEHNER's threat to default in order to extract dollar-for-dollar cuts to programs, to make changes in this program or that program, is risking the economic viability of the United States and indeed the world's financial condition.

Also, the Speaker suggested we have always done it this way. He said every major effort to deal with the deficit in the past years has been tied with the debt limit. That is not supported by the facts. Over the past 30 years, 77 percent of laws passed by Congress to pay for spending already accrued were not statutorily linked to deficit reductions or budget reforms; 77 percent were simply done because we have to extend the debt ceiling. We will do it. We always have.

Furthermore, several of the deficit reduction measures identified by Speaker BOEHNER as tied to paying our Nation's bills included significant new revenue. According to U.S. Treasury estimates, the Omnibus Budget Reconciliation Act of 1990 raised \$126.6 billion over 4 years and the Omnibus Budget Reconciliation Act of 1993 raised \$188 billion in new revenue over 4 years.

I do not see the Speaker coming up and saying we have a plan. We are going to make adjustments here on the spending side and on the revenue side and then we are going to tie it to the debt ceiling. No. In fact, this discussion of revenue increases or revenue positions, spending cuts, all of this is not appropriate to the debt ceiling discussion. It is appropriate for the conference on the budget. We have had a budget in the Senate since March and we have been prevented from going to conference with the House Republicans by Republican Members in the Senate.

There is a bipartisan demand, many of my colleagues on the Republican side have asked, suggested we go to conference. That is the appropriate way to deal with this—not threaten the world and the American people with default on our debts but doing a budget in regular order, taking up the budget, talking about revenues, talking about changes to programs, talking about continued efforts to reduce our deficit, talking about growing the economy. That ultimately is the best way to reduce the deficit.

You cannot expect, as the Speaker implied by citing budget reforms tied to the debt ceiling, which contained revenue, that Republicans are serious. That is not going to be the case from what I sense from the other side.

We have a real challenge before us. The challenge is that there seems to be this blase attitude in some respects, particularly in the House, among certain of their Members that: So what if—

we default. Other countries have defaulted. We saw something like it in Greece.

But Greece, for example—it is very difficult to compare the two economies. I do not want to suggest that our experience will mimic their experience. It is a much smaller economy. It does not have an independent currency. It is tied to the euro. But their debt in 2012 was basically challenged. While the intent of restructuring was to avoid default that would require payment of credit default swaps on Greek debt, the International Swaps and Derivatives Association in 2012 determined that they had technically defaulted on their sovereign debt. This would trigger credit default swaps being called. One estimate of the net notional value of the Greek credit default swap outstanding at the time was about \$3.2 billion, but in that economy it was a significant number and according to a *Forbes* article on March 9, 2012:

While no one expects the Greek settlement to have systemic implications, it does set the precedent for any subsequent restructurings, which could take on added importance if big, troubled peripherals like Spain or Italy take a turn for the worse.

The Greek situation is not identical to ours. In fact, because of the size of our economy, because of the ubiquity of U.S. Treasuries across the globe, in so many different instruments, in so many different institutions, a default could be much worse. But the Greek example does demonstrate there are consequences to default.

The *Wall Street Journal* on September 7 2013 pointed out:

... since tipping into recession in 2008, Greece's economy has shrunk more than 20 percent from its peak while successive waves of austerity measures since the start of the Greek debt crisis in 2009 have helped push tens of thousands of businesses into bankruptcy and sent unemployment to a record of around 27 percent.

The Pew Center reports that unemployment among young Greeks under 25 years old skyrocketed to 62 percent in June, 2013.

Austerity in some respects is another word for contracting government spending—contracting government engagement in the economy. This shutdown is essentially a miniausterity program for the last 5 days because we have contracted government contributions to the economy. Hundreds of thousands of Federal workers furloughed, additional private sector contractees furloughed, extraordinary measures taken to shut down the government. These measures will lead inevitably to the contraction we have seen in other places. Holding the full faith and credit of the United States hostage to appease a handful of irresponsible and reckless House members who are fighting battles that have been lost several times is not what our democracy is about.

I urge immediate action to get our government up and running again and our bills paid. Then we can focus on a more pressing need—creating jobs, op-

portunity, and prosperity for families in my State of Rhode Island and across this Nation.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I am grateful to the senior Senator from Rhode Island for his statement. I listened to every word of it from my office. He is such a great asset to the State of Rhode Island and our country with his military background and his experience in the Banking Committee and Armed Services. Very few people have the wisdom he has.

I would also note that the Presiding Officer's presentation was also remarkably good.

Mr. President, in closing today I want to read a very brief statement from a Nevada publication. The headline is:

Nevada Residents Are Calling Their Obamacare Hotline In Tears, Desperate For Health Coverage.

Uninsured Americans in Nevada are so desperate to get health coverage under Obamacare that many are calling the state's new insurance marketplace "in tears."

Kevin Walsh, a senior Xerox official who heads the department that is helping some states maintain their online Obamacare marketplaces and call centers, told Bloomberg Businessweek that many people had contacted Nevada's Obamacare hotline with "just raw emotion" within the first hour that the marketplace opened on Tuesday. Nevada has an adult uninsurance rate of 27 percent—the fifth highest in the country.

"They were calling and saying, 'Can I get my coverage today so I can see my doctor this afternoon?'" said Walsh. That is in one sense moving but also frustrating because, sure, you can sign up—but the coverage can't be effective until January 1st.

Uninsured Americans and those with costly or skimpy health plans have been rushing to sign up for health coverage under the law, although technical glitches have delayed the enrollment process for some of them. Those who have successfully enrolled say that they are pleased with the new coverage they will be getting beginning in January.

Even some ardent Republicans and ObamaCare skeptics who signed up for coverage are admitting that the law will be a financial boon to them and give them peace of mind. Butch Matthews, a lifelong Republican and initial proponent of repealing the law, told ThinkProgress that it would end up saving him \$13,000 per year on medical costs. "I still am a very strong Republican, but this ... I'm so happy this came along."

Mr. President, it has been this way all across America this week. I learned personally from the man who started Google that they had problems when that first started. They didn't believe that many people were interested in the information they could give. There were about 9 million people this week who have gotten online to find out about ObamaCare.

This has been very successful.

#### MESSAGES FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House has passed the following joint resolutions, in which it requests the concurrence of the Senate:

H.J. Res. 75. Joint resolution making continuing appropriations for the Special Supplemental Nutrition Program for Women, Infants, and Children for fiscal year 2014, and for other purposes.

H.J. Res. 85. Joint resolution making continuing appropriations for the Federal Emergency Management Agency for fiscal year 2014, and for other purposes.

At 12:09 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3223. An act to provide for the compensation of furloughed Federal employees.

The message also announced that the House agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 58. Concurrent resolution expressing the sense of Congress regarding the need for the continued availability of religious services to members of the Armed Forces and their families during a lapse in appropriations.

#### ENROLLED BILL SIGNED

At 1:30 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3095. An act to ensure that any new or revised requirement providing for the screening, testing, or treatment of individuals operating commercial motor vehicles for sleep disorders is adopted pursuant to a rule-making proceeding, and for other purposes.

#### MEASURES PLACED ON THE CALENDAR

The following bill and joint resolution were read the second time, and placed on the calendar:

H.R. 3230. An act making continuing appropriations during a Government shutdown to provide pay and allowances to members of the reserve components of the Armed Forces who perform inactive-duty training during such period.

H.J. Res. 72. Joint resolution making continuing appropriations for veterans benefits for fiscal year 2014, and for other purposes.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3223. An act to provide for the compensation of furloughed Federal employees.

The following joint resolutions were read the first time:

H.J. Res. 75. Joint resolution making continuing appropriations for the Special Supplemental Nutrition Program for Women, Infants, and Children for fiscal year 2014, and for other purposes.

H.J. Res. 85. Joint resolution making continuing appropriations for the Federal Emergency Management Agency for fiscal year 2014, and for other purposes.



## ADDITIONAL COSPONSORS

S. 1567

At the request of Mr. CARDIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 1567, a bill to provide for the compensation of furloughed Federal employees.

## PRIVILEGES OF THE FLOOR

Mr. FRANKEN. Mr. President, I ask unanimous consent that my staffer Ed Shelleby be allowed floor privileges.

The PRESIDING OFFICER. Without objection, it is so ordered.

## UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader with the concurrence of Senator McCONNELL, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 206 and 207; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to a vote on the nominations in the order listed; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MEASURES PLACED ON THE CALENDAR—H.R. 3230 AND H.J. RES. 72

Mr. REID. Mr. President, there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills by title for a second time.

The bill clerk read as follows:

A bill (H.R. 3230) making continuing appropriations during a Government shutdown to provide pay and allowances to members of the reserve components of the Armed Forces who perform inactive-duty training during such period.

A joint resolution (H.J. Res. 72) making continuing appropriations for veterans benefits for fiscal year 2014, and for other purposes.

Mr. REID. In order to place the bills on the calendar under the provisions of rule XIV—I would like to do that—I object to any further proceedings to both of these measures en bloc.

The PRESIDING OFFICER. The objection having been heard, the bills will be placed on the calendar.

## MEASURES READ THE FIRST TIME—H.R. 3223, H.J. RES. 75, AND H.J. RES. 85

Mr. REID. I understand there are three more measures at the desk due for their first reading.

The PRESIDING OFFICER. The clerk will read the measures by title for the first time.

The bill clerk read as follows:

A bill (H.R. 3223) to provide for the compensation of furloughed Federal employees;

A House joint resolution (H.J. Res. 75) making continuing appropriations for the Special Supplemental Nutrition Program for Women, Infants, and Children for fiscal year 2014, and for other purposes;

A joint resolution (H.J. Res. 85) making continuing appropriations for the Federal Emergency Management Agency for fiscal year 2014, and for other purposes.

Mr. REID. I now ask for a second reading but object to my own request to all three of these measures.

The PRESIDING OFFICER. Objection having been heard en bloc, the bills will receive their second reading on the next legislative day.

## ORDERS FOR MONDAY, OCTOBER 7, 2013

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, October 7, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for debate only until 5 p.m. with Senators permitted to speak therein for up to 10 minutes each; and that at 5 p.m. the Senate proceed to Executive Session to consider Calendar Nos. 204 and 205, as provided under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PROGRAM

Mr. REID. There will be a rollcall vote at 5:30 p.m. on Monday.

## ADJOURNMENT UNTIL MONDAY, OCTOBER 7, 2013, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:03 p.m., adjourned until Monday, October 7, 2013, at 2 p.m.

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S7215–S7243*

**Wood and Haikala Nominations—Agreement:** A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader with the concurrence of the Republican Leader, Senate begin consideration of the nominations of Andrea R. Wood, of Illinois, to be United States District Judge for the Northern District of Illinois, and Madeline Hughes Haikala, of Alabama, to be United States District Judge for the Northern District of Alabama; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate on confirmation of the nominations in the order listed; and that no further motions be in order.

**Page S7243**

**Bruce and Ellis Nominations—Agreement:** A unanimous-consent agreement was reached providing that at 5:00 p.m., on Monday, October 7, 2013, Senate begin consideration of the nominations of Colin Stirling Bruce, of Illinois, to be United States

District Judge for the Central District of Illinois, and Sara Lee Ellis, of Illinois, to be United States District Judge for the Northern District of Illinois, as provided for under the order of Friday, September 27, 2013.

**Page S7243**

**Messages from the House:**

**Page S7242**

**Measures Placed on the Calendar:**

**Page S7242**

**Measures Read the First Time:**

**Page S7242**

**Additional Cosponsors:**

**Page S7243**

**Privileges of the Floor:**

**Page S7243**

**Adjournment:** Senate convened at 12 noon and adjourned at 5:03 p.m., until 2 p.m. on Monday, October 7, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7243.)

### Committee Meetings

*(Committees not listed did not meet)*

No committee meetings were held.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 24 public bills, H.R. 3247–3270; and 1 resolution, H. Con. Res. 58, were introduced. **Pages H6321–22**

**Additional Cosponsors:** **Page H6322**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Poe (TX) to act as Speaker pro tempore for today. **Page H6291**

**Chaplain:** The prayer was offered by the guest chaplain, Reverend Eugene Hemrick, Catholic University of America, Washington, DC. **Page H6291**

**Suspensions:** The House agreed to suspend the rules and agree to the following measure:

*Expressing the sense of Congress regarding the need for the continued availability of religious services to members of the Armed Forces:* H. Con. Res. 58, to express the sense of Congress regarding the need for the continued availability of religious services to members of the Armed Forces and their families during a lapse in appropriations, by a  $\frac{2}{3}$  yeas-and-nay vote of 400 yeas to 1 nay, Roll No. 526. **Pages H6293–96, H6305**

**Federal Employee Retroactive Pay Fairness Act:** The House passed H.R. 3223, to provide for the compensation of furloughed Federal employees, by a yeas-and-nay vote of 407 yeas with none voting “nay”, Roll No. 525. **Pages H6296–H6305**

H. Res. 371, the rule providing for consideration of the bill, was agreed to yesterday, October 4th.

**Privileged Resolution—Intent to Offer:** Representative Grayson announced his intent to offer a privileged resolution. **Page H6306**

**Senate Message:** Message received from the Senate today appears on pages H6305–06.

**Quorum Calls—Votes:** Two yeas-and-nay votes developed during the proceedings of today and appear on pages H6304–05 and H6305. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 1:53 p.m.

## *Committee Meetings*

No hearings were held.

## *Joint Meetings*

No joint committee meetings were held.

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### COMMITTEE MEETINGS FOR MONDAY, OCTOBER 7, 2013

*(Committee meetings are open unless otherwise indicated)*

#### Senate

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine Social Security disability benefits, 3 p.m., SD–342.

#### House

No hearings are scheduled.

*Next Meeting of the SENATE*

2 p.m., Monday, October 7

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12 p.m., Monday, October 7

## Senate Chamber

**Program for Monday:** After the transaction of any morning business (not to extend beyond 5 p.m.), Senate will begin consideration of the nominations of Colin Stirling Bruce, of Illinois, to be United States District Judge for the Central District of Illinois, and Sara Lee Ellis, of Illinois, to be United States District Judge for the Northern District of Illinois, and vote on confirmation of the nominations at approximately 5:30 p.m.

## House Chamber

**Program for Monday:** To be announced.



## Congressional Record

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